



2016 MUNICIPAL AND SCHOOL ELECTION WORKSHOP

Sponsored by

**Secretary of State Shantel Krebs
South Dakota Municipal League
Associated School Boards of South Dakota**

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AGENDA

- 2016 Law and Rule changes
- Election Types and Dates
- Public Notices
- Voter Registration and Residency
- Candidate Eligibility Requirements
- Petitions
- No Candidates, Vacancies
- Ballot Preparation
- Election Worker Training
- Absentee Voting
- Precincts and Election Boards
 - Precinct Manual and Polling Place Voter Key
- Counting, Canvassing and Recounting
- Recalls
- Special Elections
- Financial Interest Statements
- Campaign Finance
- Automatic Tabulating Systems

RULES AND LAWS THAT WENT INTO EFFECT JULY 1, 2016

- Make sure you have the updated version of these forms:
 - **Notices**
 - 5:02:04:04. Notice of deadline for voter registration.
 - 5:02:04:06. Notice of vacancy for municipal election.
 - 5:02:04:08. Notice of municipal election.
 - 5:02:04:09. Notice of special election.
 - 5:02:04:11. Notice of special recall election and of filing of nominating petitions for special recall election.
 - 5:02:04:14. Notice of vacancy on school board.
 - 5:02:04:15. Notice of school board election.
 - (NEW) 05:02:04:23 Notice of vacancy for newly incorporated municipal election.
 - **Instructions**
 - 5:02:06:01:02. Optical scan ballot instructions.
 - **Ballot**
 - 5:02:06:12. Municipal election.
 - All jurisdictions need to make sure they have the most **current Instructions to Voters** on their large posters and posters within their voting booths:
 - [5:02:05:02. Instructions to the voters using hand-counted paper ballots.](#) (last updated in 2013)
 - [5:02:05:02:01. Instructions to the voters using optical scan ballots.](#) (updated August 2015; updated again July 1, 2016)
 - **Petition** (we have posted a word doc version of this on the petition section of our web)
 - (NEW) 05:02:08:46 form of a petition for a school board to implement a **school sentinel program**.

ELECTION TYPES AND DATES

Municipalities have *three* options: set your date by January 14 if choosing a date other than second Tuesday in April ([SDCL 9-13-1](#)).

1. Second Tuesday in April ([SDCL 9-13-1](#)).
2. First Tuesday after the first Monday in June ([SDCL 9-13-40](#)).
3. Combine with the school on the second Tuesday in April, first Tuesday after the first Monday in June (*Primary date in 2016*) or the third Tuesday in June ([SDCL 9-13-1.1](#)).
 - a. If the school election is combined with a municipal election on a date other than the second Tuesday in April, all dates follow [SDCL 13-7](#), except if combining with a Primary election you would also follow [Title 12](#).

ELECTION TYPES AND DATES

Schools have *many* options: school board sets election date no later than first regular meeting in January (SDCL 13-7-10). Dates listed below are the most common.

1. Anytime from the second Tuesday in April through the third Tuesday in June (SDCL 13-7-10).
2. Combine with municipality on the second Tuesday in April, first Tuesday after the first Monday in June (*Primary date in 2018*), or on the third Tuesday in June (SDCL 13-7-10.1).
3. On even numbered years, you may combine with the Primary Election on the first Tuesday after the first Monday in June (SDCL 13-7-10.3). Follow Title 12 for election dates. This won't apply to elections in 2017 because there are no Primary or General elections.



Election Types and Dates

COMBINING ELECTIONS

- Any election may be combined if deadlines permit (SDCL 12-2-6)
- Have a written agreement with contingencies if one jurisdiction doesn't have an election, who will handle absentee voting, will you combine notices, do both jurisdictions print in the same paper etc.
- Pay attention to the deadlines with the Primary and General Elections (won't apply in 2017).

BENEFITS OF COMBINING ELECTIONS

- Popular option
- Increase voter turnout
- Fewer trips to the polls
- Shared election board workers
- Time and money saver



~~NOTIFY THE SECRETARY OF STATE'S OFFICE OF
YOUR ELECTION DATE.~~

~~—————12-2-7: IF ANY POLITICAL SUBDIVISION OF THE STATE SETS A DATE
AND TIME FOR CONDUCTING A PUBLIC ELECTION, WITHIN 15 DAYS THE
PERSON IN CHARGE OF THE ELECTION SHALL NOTIFY THE SECRETARY OF
STATE IN WRITING OR BY TELEPHONE OR BY E-MAIL.~~

REPEALED IN 2016 LEGISLATIVE SESSION

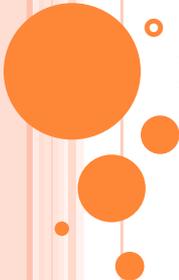


PUBLIC NOTICES

Refer to the Election Calendar for Notices and the deadlines.

Other items to note:

- All public notices required by law by jurisdiction, shall include an inscription listing the approximate cost of the newspaper publication.
- This inscription shall be printed in the same type size as the body of the notice and located at the top or bottom of the public notice (SDCL 17-2-28).



PUBLIC NOTICES

- **Notice of Vacancy** (*two notices to publish*)
 - School Board (ARSD 5:02:04:14)
 - Municipalities (ARSD 5:02:04:06)
- **Notices of Deadline for Voter Registration** (*two notices to publish*)
 - ARSD 5:02:04:04
- **Notices of Election**
 - School Board (ARSD 5:02:04:15)
 - Municipalities (ARSD 5:02:04:08)
- **Publish facsimile ballot** in the calendar week prior to the election (SDCL 12-16-16).



PUBLIC NOTICES

WHAT IF I MISSED A NOTICE?

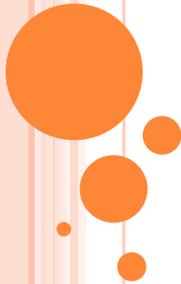
- Do not panic!
- Be sure to inform your attorney and follow his/her advice.
- Have the paper publish the missed notice if there is still time before the deadline.
- Post the notice in areas within your jurisdiction.
- Mail notice to all residents or registered voters.
- The election may be challenged due to the missed or incorrect notices.

Questions?



WHO CAN VOTE?

Voter registration and residency



VOTER REGISTRATION LOCATIONS

- County auditor's office
- **City finance office** – **you are an official voter registration location** (*your duty to insure the form is complete, SDCL 12-4-7.2*)
- Driver's license station
- Public assistance agencies providing food stamps, TANF or WIC
- Department of Human Services offices which provide assistance to the disabled
- Military recruitment offices
- Secretary of State's Office



VOTER REGISTRATION PROCESS

- Ways for someone to register to vote:
 - **Drivers Licensing application**
 - There is a section to register to vote.
 - This voter registration information is sent electronically to the County Auditor with the exception noted below:
 - If a Driver's Licensing exam station only has the ability to take paper applications then the voter registration process takes a little longer because the paper application has to be sent to Pierre to be hand entered.
 - **Voter Registration Application (paper)**


South Dakota
Voter Registration Form
 County _____

Use this form to register to vote or recall a name, address, or party change.

Please print. Complete the entire form. Sign in this box to your county auditor.

The deadline for voter registration is 23 days before an election. Your form must be received by the county auditor by this deadline. If you are late with the next election, within 15 days you will receive a notice of your registration. If you do not, contact your county auditor. See someone in writing regarding voter registration is required to provide you with their contact information. For more information, visit www.sdsos.gov.

Are you a citizen of the United States of America? Yes No

If you checked "No" in response to either of these questions, do not complete this form.

<small>1</small> Last Name	First Name	Middle Name (Initial)	Suffix
<small>2</small> Residence Address		Appt. or Unit #	City State Zip Code
<small>3</small> Mailing Address (if different)		City	State Zip Code
<small>4</small> If Residence Address is a PO Box, mail box, or general delivery, you must give the location of your residence.			
<small>5</small> Date of Birth (Required)	Telephone Number	South Dakota Driver License Number (Required)	
Month / Day / Year		If you do not have a correct SD Driver License, provide the last 4 digits of Social Security Number	
<small>7</small> Class of Party	Email Address		

Use this section to cancel your previous voter registration. Previous Voter Registration Information (Required, if applicable):

<small>8</small> Previous Last Name	First Name	Middle Name (Initial)	Suffix
<small>9</small> Previous Address		City	State Zip Code
<small>10</small> Previous Driver License Number and State		Previous Party	Date of Birth (Required)

11 Would you like to be a precinct alternate worker on election day? Yes No

12 I declare, under penalty of perjury (2 years imprisonment and \$5,000 fine), that:

13 I am a citizen of the United States of America;

14 I actually live at and have no present intention of leaving the above address;

15 I will be 18 on or before the next election;

16 I have not been judged mentally incompetent;

17 I am not currently serving a sentence for a felony conviction; and

18 I neither am disqualified nor my previous registration, if applicable.

Signature Required

Date: _____ / _____ / _____
Month / Day / Year

Submit one only. Agency use.

VOTER REGISTRATION PROCESS *cont'd*

- The voter's registration date is the date the County Auditor receives the application, not the date the voter signs the card.
 - **Business Managers**: if a voter comes in to register to vote on the deadline day for voter registration, you may want to suggest they take their application directly to the County Auditor. Since your office isn't an official registration site you aren't required to deliver that application by 5:00 pm on the deadline day in order for that voter to vote at the upcoming election
 - **Finance Officers**: if a voter comes in to register on the deadline day you are able to mail or deliver the application after the deadline has passed and the voter would still be registered in time to vote in the upcoming election (**SDCL 12-4-5**)
- If a Voter's information is incomplete the County Auditor will send them an Incomplete notice.

VOTER REGISTRATION PROCESS *cont'd*

- The voter registration information is entered, by the County Auditor, into Total Vote which is the statewide voter file system.
- The voter file goes through nightly checks:
 - **UJS** – felony check, mental competency
 - **Vital Records** – death records
 - **Social Security Administration** – valid social security number and check for US Citizenship
 - **Drivers Licensing** – valid drivers license
- If a voter is flagged regarding any of these checks the county auditor is notified and will review and proceed according to state law.
- The voter file, every odd year, goes through a **list maintenance** process that cleans up the voter file. This is done by the County Auditors.

SDCL 12-4-5. ENTRY OF APPLICANTS ON REGISTRATION LISTS

- The county auditor shall enter in the master registration file the names of all eligible persons who have had their completed applications for registration and mail registration cards received by any county auditor or any local, state, or federal agency responsible for conducting voter registration under this chapter not later than **5:00 p.m. fifteen days preceding the election**. However, any completed mail registration card mailed to the appropriate county auditor and postmarked not less than thirty days preceding an election shall be added to the registration file. **Voter registrations completed at any local, state, or federal agency during any given week commencing on Tuesday through the following Monday shall be sent to the appropriate county auditors no later than the following Wednesday.** The State Board of Elections may promulgate rules, pursuant to chapter 1-26, for the alternative transmission of voter registration information by computer from the agency to the secretary of state. The name of any voter who has registered to vote by 5:00 p.m. fifteen days preceding the secondary election shall be added to the file used for the secondary election.

FYI - ACTIVE VS. INACTIVE VOTERS

- **Active voter:** any voter who has voted or updated his/her voter registration information in the last four years.
- **Inactive voter:** Any voter who has not voted or updated his/her voter registration information in the last four years.
- Active and Inactive voters may sign petitions.
- Inactive voters may vote but are required to fill out a new voter registration form prior to voting.
- When Auditor's **calculate the number of signatures** required for a petition, they only calculate that against **active voters**.
- When the Auditor **calculates voter turnout** for the election, they only calculate that against **active voters**.

SDCL 12-4-34. Registered voters referred to in other statutes. If a statute refers to registered voters, it does not include those in the inactive registration file unless specifically included. However, any voter in the inactive registration file may sign a petition.

VOTER REGISTRATION AND RESIDENCY

MUNICIPAL REQUIREMENTS

- Registration and residence required to vote in a municipal election (SDCL 9-13-4.1).
 - No person may vote at any municipal election unless the person is registered to vote pursuant to Chapter 12-4 and resides in the municipality at the time of the election.
 - A person resides in the municipality if the person actually lives in the municipality for at least thirty days each year, is a full-time postsecondary education student who resided in the municipality immediately prior to leaving for postsecondary education, or is on active duty as a member of the armed forces whose home of record is within the municipality.
 - The residency requirement only applies to city and school elections.



VOTER REGISTRATION AND RESIDENCY

SCHOOL REQUIREMENTS

- Registration and residence required to vote in school election. (SDCL 13-7-4.2)
 - No person may vote at any school election unless the person is registered to vote pursuant to Chapter 12-4 and resides in the school district at the time of the election.
 - A person resides in the school district if the person actually lives in the school district for at least thirty days each year, is a full-time postsecondary education student who resided in the school district immediately prior to leaving for the postsecondary education, or is on active duty as a member of the armed forces whose home of record is within the school district.
 - The residency requirement only applies to city and school elections.



VOTER REGISTRATION AND RESIDENCY

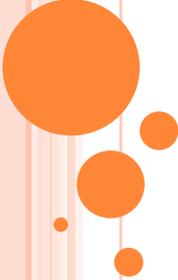
IMPORTANT REMINDERS

- Voter registration deadline is 5:00 p.m. fifteen days preceding an election (SDCL 12-4-5).
- It shall be the duty of the official in charge of local elections to notify the county auditor at least thirty days preceding their local elections, of precinct boundary changes if any have been made (SDCL 12-14-1.1).
- When the boundaries of any election precinct shall be changed, the county auditor shall immediately change the registration list (SDCL 12-4-11).

Questions?



CANDIDATE ELIGIBILITY REQUIREMENTS



CANDIDATE ELIGIBILITY REQUIREMENTS

MUNICIPALITIES

- Must have resided in the municipality for three months immediately prior to the election (SDCL 9-14-2).
- May not be a defaulter to the municipality (SDCL 9-14-2).
 - See SDML Handbook for Municipal Officials for definition and supporting Attorney General Opinions.
- Must reside in the Ward they are seeking election to.
- Must file a nominating petition or a vacancy is created (SDCL 9-13-14.3).



CANDIDATE ELIGIBILITY REQUIREMENTS

SCHOOLS

- Cannot be a teacher in the district they are seeking election to (SDCL 13-43-1).
- If representation areas exist, a school board member candidate must reside within the school board member representation area (SDCL 13-8-7.1).
- Must be a **resident voter** of the school district they are seeking nomination to (SDCL 13-7-6).
- Candidates should review SDCL 13-7-3 and determine if any other duties or offices they hold would be incompatible with a school board membership.

Questions?



PETITIONS

Prescribed by the State Board of Elections and found in [ARSD 5:02:08](#).

Petitions forms have been [updated in 2015 and 2016](#):

- Nominating petition for a **school board** member ([ARSD 5:02:08:11](#)).
- Nominating petition for a **municipal election** ([ARSD 5:02:08:13](#)).
- **The person in charge of the election** has to be **available until 5:00 pm on the petition filing deadline day** to accept petitions (this could fall on a Friday)
- **CANDIDATES** plan ahead on who will notarize your declaration of candidacy. *Snow birds have limited options on who is able to notarize their petition when they are in another state.* [SDCL 18-3-1](#) and [13-8-15](#) outline who is authorized.
- **CANDIDATES** cannot fill out and sign the Declaration of Candidacy prior to the first day of circulation

5:02:08-13. Nominating petition for municipal election. The nominating petition for a municipal election must be in the following form:

NOMINATING PETITION FOR MUNICIPAL ELECTION

INSTRUCTIONS TO CANDIDATE: The heading of this petition and the declaration of candidacy must be fully completed before the petition is circulated for signatures.

WE, THE UNDERSIGNED qualified voters of the municipality of _____ in the state of South Dakota, do hereby _____ whose residence address is _____ South Dakota, _____ and whose mailing address is _____ South Dakota, _____ as a candidate for a _____ year term for the office of _____ at the Municipal Election to be held on the _____ day of _____.

DECLARATION OF CANDIDATE

I, _____ (print name here exactly as you want it on the election ballot) under oath, declare that I reside and am registered to vote in the municipality of _____ and that I am eligible to seek the office for which I am a candidate. If nominated and elected, I will qualify and serve in that office. If I am an alternate candidate, I declare that I reside and am registered to vote in Ward _____.

(Signed) _____

Witness to before me this _____ day of _____, _____.

(Seal) _____
 My commission expires _____
 Signature of Officer Administering Oath
 Title of Officer Administering Oath

(Here insert instructions to voters and signature blanks prescribed in § 5:02:08.03.03.)

VERIFICATION BY PEERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section (bold) must (initially) be completed following circulation and before filing.

Print name of the circulator	Residence Address	City	State

I, under oath, state that I circulated the above nominating petition, that each signer personally signed this petition in my presence, that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration, and that I attest the legality of the signatures and that each person signing this petition is a qualified voter of the municipality of _____.

5:02:08:11. Nominating petition for school board member. The nominating petition for school board member must be in the following form:

NOMINATING PETITION FOR SCHOOL BOARD MEMBER
SCHOOL DISTRICT # _____

INSTRUCTIONS TO CANDIDATE: The heading of this petition and the declaration of candidacy must be fully completed before the petition is circulated for signatures.

WE, THE UNDERSIGNED qualified voters of _____ school district number _____, state of South Dakota, nominate _____ whose mailing address is _____, South Dakota, and whose residence address is _____, South Dakota, for a _____-year term (in _____ representation area, if applicable) on the school board at the school board election to be held on the _____ day of _____, 20_____.

DECLARATION OF CANDIDATE

I, _____ (print name here exactly as you want it on the election ballot), under oath, declare that I reside in _____ school district number _____, South Dakota; that I am a registered voter of the district; and that I am eligible to seek the office for which I am a candidate. If nominated and elected, I will qualify and serve in that office.

(Signed) _____

Sworn to before me this _____ day of _____, 20_____

(Seal) _____

Signature of Officer Administering Oath

Title of Officer Administering Oath

(Insert here the instructions to signers and verification by the circulator portions of the petition form prescribed in § 5:02:08:00.03.)

PETITIONS

SIGNATURE REQUIREMENTS

INACTIVE AND ACTIVE VOTERS MAY SIGN PETITIONS (SDCL 12-4-36).

- **1st and 2nd class municipalities (SDCL 9-13-9):**
 - 15 registered voters per 1,000 population (*based off of most recent census*).
 - Ward: 5% of registered voters based off of the total number of registered voters voting in the ward at the last general election (*get this number from the County Auditor; **calculated from active voters, SDCL 12-4-34***).
 - No petition needs to be signed by more than 50 voters.
 - Voter can only sign as many petitions as there are positions.
- **3rd class municipalities (SDCL 9-13-9):**
 - 10 registered voters for citywide and 5 for a ward.
 - Voter can sign more than one petition.
- **School (SDCL 13-7-6):**
 - 20 registered voters.

PETITIONS

FILING PROCEDURE

- Date stamp and time stamp received petitions.
- Verify signatures pursuant to ARSD 5:02:08:00 and 5:02:08:00.01.
- **Check voter registration status of signers for school board member petitions.**
 - Cities are not required to check voter registration status.
 - **NOTE:** The SD Secretary of State's office does not check voter registration status of signers unless required by law. Law requires this be done in random sampling of Statewide Ballot Questions and Statewide Candidate races. Status is not checked for Legislative races.
- File completed petitions.
 - Date and time stamp each filed petition.

PETITIONS

GUIDELINES FOR ACCEPTANCE

- Follow ARSD 5:02:08:00.
- Make sure the petition is in the form required by this chapter;
- The petition contains the minimum number of valid signatures, counted according to 5:02:08:00.01. One or more invalid signatures on a petition section do not disallow other valid signatures on the section;
- Each section of the petition contains an identical heading and is verified by the circulator. The circulator may add the addresses of the petitioners and the dates of signing before completing the verification. The circulator may also add the printed name of the signer and the county of voter registration. Residence addresses may be abbreviated. The verification was completed and signed before an officer authorized to administer oaths;

PETITIONS

Guidelines for Acceptance

- The declaration of candidacy contains the original signature of the candidate. Additional sections may have an original or photocopied signature of the candidate;
- If a petition is for a ballot question to be voted on statewide, the signatures were obtained after a copy of the text of the petition was filed with the secretary of state;
- The governing board or person authorized by statute to accept the petition shall, if requested, allow a petition circulator the opportunity to add missing information on the signature lines or circulator's verification on his or her petition provided the filing deadline has not passed; and
- Following the presentation of the petition for filing, names may not be removed from the petition.
- Except for petitions to nominate candidates for school boards, the person who is authorized to accept petitions for filing need not check for voter registration of the signers.
- Petitions containing signatures in excess of the minimum number may be filed, but the excess signatures will be disregarded (ARSD 05:02:08:00.04).

PETITIONS

CITY AND SCHOOL LOOKUP SITE

- URL: cityandschoollookup.sdsos.gov
- We reset all usernames and passwords at the end of 2015.
- If there are additional staff you want usernames and passwords we will be able to provide those to you.
- This URL is not to be shared with anyone nor used for personal reasons. And should only be used for petition signature checking. Candidates or elected officials do not have the authority to access this information.

PETITIONS

GUIDELINES FOR COUNTING SIGNATURES

- Follow ARSD 5:02:08:00.01.
- The form of the petition does not meet the requirements of this chapter;
- The circulator's verification is not completed or is improperly completed, according to subdivision 5:02:08:00(3) unless the missing information is completed elsewhere on the petition sheet. A completed circulator's verification must include the printed name of the circulator, the circulator's residence address as provided in subdivision 5:02:08:00.01(2)(c), and complete date; or
 - *The Title of the Officer Administering the Oath is not required but it is helpful to have that filled out*
- The declaration of candidacy has not been completed on or after the first date authorized by statute to circulate the petition, and signed by the candidate and the signature witnessed by an official empowered to administer oaths in South Dakota; or
- The circulator's verification was signed by more than one circulator; and

PETITIONS

GUIDELINES FOR COUNTING SIGNATURES

- It was signed prior to the signing of the candidate's declaration of candidacy;
- It was signed after the circulator completed the verification;
- The residence address does not include a street and house number or a rural route and box number and the town. If the signer is a resident of a second or third class municipality, a post office box number may be used. If the signer does not have a residence address or post office box number, a description of the residence location must be provided. If the signer is a resident of a building with a publicly known name, the building name may be used;
- The date of signing, including month and day, is not indicated;
- The signer's name is not printed and legible; or
- The signer's county of voter registration is not provided.

**NOMINATING PETITION FOR WATER DEVELOPMENT DISTRICT DIRECTOR
NONPARTISAN ELECTION**

INSTRUCTIONS TO CANDIDATE: The heading of this petition and the declaration of candidacy must be filled completed before the petition is circulated for signatures.

WE, THE UNDERSIGNED registered voters of Lead County, South Dakota, whose mailing address is Box 21 of Lead County, State of South Dakota, do hereby nominate Greg Lorenz of Lead County, South Dakota, as a candidate for the office of director, (attach the director with the candidate in the presence of the circulator) for the Water Development District for a 4 year term, in the primary election held on June 7, 2011.

RECEIVED
APR 14 2011

DECLARATION OF CANDIDATE

I, Greg Lorenz, do hereby declare that I am a resident and registered voter in the director area that I will represent and that I am eligible to seek the office for which I am being nominated and elected, I will qualify and serve in that office.

Sworn to before me this 8th day of April, 2011. (Sign)

James T. Kent
Notary Public
Notary Public
My Commission Expires 1-31-12

James T. Kent
Signature of Officer Administering Oath
Notary
Title of Officer Administering Oath

INSTRUCTIONS TO SIGNERS

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Dotted marks may not be used.
5. Failing to provide all information requested may invalidate the signature.

NAME	RESIDENCE	DATE/COUNTY
<u>Rony Marshall</u>	<u>PO Box 21</u>	<u>4-4-16</u>
<u>Rony Marshall</u>	<u>Lead SD 57204</u>	<u>Sully</u>
<u>Deann Kausch</u>	<u>PO Box 27</u>	<u>4-4-16</u>
<u>Deann Kausch</u>	<u>Lead</u>	<u>Sully</u>
<u>Ernie H. I.</u>	<u>31075 185th St</u>	<u>4-4-16</u>
<u>Ernie H. I.</u>	<u>Lead SD</u>	<u>Sully</u>
<u>Don Lee</u>	<u>1016 7th St</u>	<u>4-4-16</u>
<u>Don Lee</u>	<u>Lead SD</u>	<u>Sully</u>
<u>Don Lee</u>	<u>PO Box 21</u>	<u>4-4-16</u>
<u>Don Lee</u>	<u>Lead SD</u>	<u>Sully</u>

NAME	RESIDENCE	DATE/COUNTY
<u>Les Kause</u>	<u>1716 S. Henriksen Cir</u>	<u>4/27/09</u>
<u>Les Kause</u>	<u>Sioux Falls SD 57106</u>	<u>Mitchell</u>
<u>Alan Basse</u>	<u>3126 S. Arlita</u>	<u>4/28/09</u>
<u>Alan Basse</u>	<u>Sioux Falls SD 57105</u>	<u>Sioux Falls</u>
<u>Carly Boynton</u>	<u>304 N. Hiwanis Ave</u>	<u>4-28-09</u>
<u>Carly Boynton</u>	<u>Lead SD</u>	<u>Sully</u>

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before filing.

Print name of the circulator Dustin Wastell Residence Address 314 Birch Ave City Brookings State SD

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Dustin Wastell, IO - Driver's License
Signature of Circulator

Sworn to before me this 16 day of June, 2011.

(Seal)

My Commission Expires 1-31-12

Pamela M. Rice
Notary Public
Notary Public
My Commission Expires 01-31-2012

Pamela M. Rice
Signature of Officer Administering Oath

**NOMINATING PETITION FOR WATER DEVELOPMENT DISTRICT DIRECTOR
NONPARTISAN ELECTION**

INSTRUCTIONS TO CANDIDATE: The heading of this petition and the declaration of candidacy must be fully completed before the petition is circulated for signatures.

WE, THE UNDERSIGNED registered voters of Area 5 (insert the director area the candidate is to represent) of the Vermillion Basin Water Development District, nominate Kim Glabke of Turner County, State of South Dakota, whose mailing address is 301 E. Wagner St., Marion, SD 57043 South Dakota, as a candidate for the office of director, representing Area 5 (insert the director area the candidate is to represent) of the Vermillion Basin Water Development District for a 2 year term, in the primary election to be held on June 20, 2015.

RECEIVED

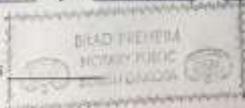
DECLARATION OF CANDIDATE

I, Kim Glabke (print name here exactly as you want it on the election ballot), under oath, declare that I am a resident and registered voter in the director area that I will represent and that I am eligible to vote for the office for which I am a candidate. If nominated and elected, I will qualify and serve in that office.

(Signed) Kim Glabke

Sworn to before me this 20 day of January, 2015.

(Seal)



Brad Premera
Signature of Officer Administering Oath
Notary Public
Title of Officer Administering Oath

My Commission Expires 6-3-16

INSTRUCTIONS TO SIGNERS:

1. Signers of this petition must individually sign their names in the form in which they are registered to vote

SIGNER <u>KRISTIN MATSON</u> COUNTY <u>Turner</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>3440 Canal</u> CITY OR TOWN <u>RT 50</u>	DATE OF REGISTRATION <u>4/11/09</u>
SIGNER <u>Paul E. Matson</u> COUNTY <u>Turner</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>DITTO</u> CITY OR TOWN <u>DITTO</u>	DATE OF REGISTRATION <u>9/9</u>
SIGNER <u>Chris Siska</u> COUNTY <u>Turner</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>3721 Screws Pit Lane</u> CITY OR TOWN <u>Reed City SD</u>	DATE OF REGISTRATION <u>4-11-09</u>

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Print name of the circulator Pease Clarke Residence Address 10165+ Rt #71 City Reed City State SD

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified elector in the county indicated on the signature line, that no state statute regarding petition circulation was violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.



Pease Clarke
Signature of Circulator

Sworn to before me this 28 day of May, 2009.

My Commission Expires February 12, 2015

Pease Clarke
Signature of Officer Administering Oath

Pease Clarke
Title of Officer Administering Oath

Form Revised 2007 - 5-02-08-08

VERIFICATION BY PERSON CIRCULATING PETITION
INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before filing.

Print name of the circulator: Kate Corwin Residence Address: 2802 W. RAY ST. Rapid City SD City: Rapid City State: SD ZIP: 57702

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Sworn to before me this 12 day of June, 2009

Signature of Circulator: Kate Corwin

Signature of Officer Administering Oath: [Signature]

Title of Officer Administering Oath: VSO

Seal: Notary Public in the State of South Dakota, Commission Expires 12-13, Form Revised 2007 - 502 0818

VERIFICATION BY PERSON CIRCULATING PETITION
INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before filing.

Print name of the circulator: BOYO GILLEGAN Residence Address: 507-5701 AVE E City: Estelline State: SD

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Sworn to before me this 4 day of MAY, 2009

Signature of Circulator: [Signature]

Signature of Officer Administering Oath: [Signature]

Title of Officer Administering Oath: [Title]

My Commission Expires: [Date]

Form Revised 2007 - 502 0818

IGN	STREET AND NUMBER OF RESIDENTS AND BOX NUMBER	COUNTY	DATE OF SIGNING
1 PRINT <u>Paul Lyken</u> <u>Orville Roberts</u>	<u>415 6th St NE</u> <u>Watertown SD</u>	<u>COOKE</u>	<u>4-14-09</u>
2 SIGN <u>Audrey Lyken</u> <u>Audrey Lyken</u>	<u>1625 Northridge Dr #312</u> <u>Watertown SD</u>	<u>COOKE</u>	<u>4-14-09</u>
3 SIGN <u>Paul Lyken</u> <u>VERT LYKEN</u>	<u>1625 Northridge Dr #312</u> <u>WATERTOWN SD</u>	<u>COOKE</u>	<u>4-14-09</u>
4 SIGN <u>[Signature]</u>	<u>[Address]</u>	<u>COOKE</u>	<u>[Date]</u>

VERIFICATION BY PERSON CIRCULATING PETITION
INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before filing.

Print name of the circulator: Paul Lyken Residence Address: 550 Summit Ave NW City: Watertown State: SD

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Sworn to before me this 16 day of April, 2009

Signature of Circulator: Paul Lyken

Signature of Officer Administering Oath: Audrey Lyken

Title of Officer Administering Oath: Notary

My Commission Expires: 8/13/09

Form Revised 2007 - 502 0818

VERIFICATION BY PERSON CIRCULATING PETITION
INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before filing.

Print name of the circulator BARBARA J EDWARDS Residence Address 12170 Camp Rd City Custer State SD

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Signature of Circulator _____

Sworn to before me this _____ day of _____, _____
 (Seal)

My Commission Expires _____ Signature of Officer Administering Oath _____
 Title of Officer Administering Oath _____

Form Revised 2007 - 5:02:08:08

VERIFICATION BY PERSON CIRCULATING PETITION
INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before filing.

Print name of the circulator Frioda Ten Fingers Residence Address NCLdb 23B, NCLdb 23R City Chadron State NE

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Signature of Circulator Frioda Ten Fingers

Sworn to before me this 1st day of October 2015

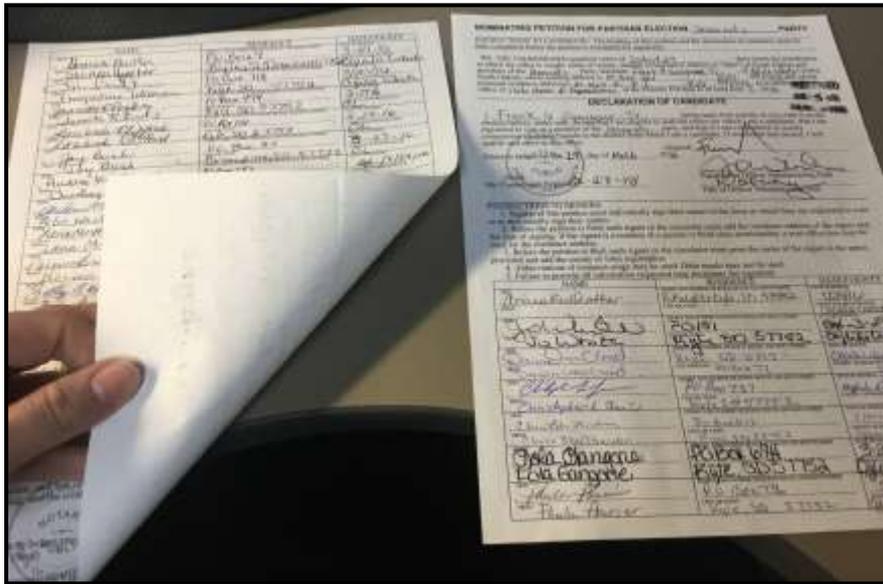
My Commission Expires 12-22-2019

Signature of Officer Administering Oath Frances Ann Casey
 Title of Officer Administering Oath South Dakota Notary

Form Revised 2007 - 5:02:08:08

NAME	RESIDENCE	DATE/COUNTY
Jennifer Slate	118 Curlie St Yankton, SD 57014	7/21/15 Yankton
Tom & Lucy Levas	101 Wagner St Yankton SD	2/25/15 Yankton
Sandra Jensen	158 Hidden Hallows Yankton SD 57078	7/22/15 Yankton
Jeanne Devine	919 EAST 16th ST Yankton SD 57078	8/5/15 Yankton
Kyle Lighty	110 Curlie St Yankton SD 57078	8/3/15 Yankton
Lorin Lighty	110 Curlie St Yankton SD 57078	8/9/15 Yankton
Douglas E. Estabro	30229 43rd Yankton SD 57067	8-9-15 Yankton

Carol Sambo	PO Box 2112 Yankton SD 57101	9/19/15 Minnehaha
Lucy & Mervyn	1111 S. 11th St Yankton SD 57101	9/19/15 Minnehaha



Petitions must be self-contained, meaning printed front and back

PETITIONS

IMPORTANT REMINDERS

- Give petition processing top priority.
- Check registration and residency of candidate.
 - Not required for cities to do this but if you do, do it for all signers on all petitions.
- Candidate cannot notarize their own petition but they can circulate and sign their own petition.
- Notify candidate that petition was filed or rejected.
 - Business managers have to have a signed verification per **SDCL 13-7-6**.
- Finance Officers, Business Managers and School Board Presidents may notarize documents without being a notary (**SDCL 18-3-1** and **13-8-15**).

PETITIONS

PETITION CHALLENGE LAW

- SDCL 12-1-13 to 15.
- Any person may challenge, within 5 working days, after any local election petition is filed or rejected.
- Must file affidavit stating deficiencies.
- Person in charge of the election verifies information provided in affidavit.
 - Work with your attorney.
- Does not prevent any other legal remedy (SDCL 12-1-16).

Questions?



VACANCIES

HOW ARE VACANCIES CREATED ON CITY COUNCILS?

SDCL 3-4-1

RESIGNATION

Change of residence

Death

Removal from office

Failure to qualify

Criminal conviction involving violation of oath

Judgment against incumbent for breach of bond

Military call up (SDCL 3-4-8)

Incapacitation- *by illness or accident* (SDCL 3-4-9)

No one files a nominating petition (SDCL 9-13-14.3)



VACANCIES

HOW ARE MUNICIPAL VACANCIES FILLED?

- By appointment **SDCL 9-13-14.1:**
 - At the end of December 2015 the Attorney General issued an opinion (15-03) clarifying that an appointee serves until the next annual election not the next regularly scheduled election. This means that an appointee only serves until the next year regardless of whether you have an annual election scheduled. Also, if the seat remains unfilled it would be up for election the next year.
 - Examples:
 - CM Smith resigns October 2016. Council appoints CM Jones. Jones serves until April 2017.
 - CM Smith resigns January 2017. Council appoints CM Jones. Jones serves until April 2017.
- By special election **SDCL 9-13-14.2**
- By temporary replacement **SDCL 3-4-8**

VACANCIES

FILLING MUNICIPAL VACANCY BY APPOINTMENT

- **SDCL 9-13-14.1**
- Remember in Aldermanic form of government the appointment must be from the same ward.
- Appointing can be an easier, faster, and less costly process.
- Remaining members shall appoint a replacement to serve until the next annual municipal election.
 - Keep track of the terms when there has been an appointment.
 - Official that is vacating his position does not vote on his replacement.
 - The Mayor may make a recommendation but the remaining members vote on the appointment.
 - There are no publication rules or notices for filling a vacancy.

VACANCIES

FILLING MUNICIPAL VACANCY BY SPECIAL ELECTION

- Governing body creates an ordinance requiring that any vacancy on the governing board or in the office of the Mayor is to be filled by special election.
- The ordinance must be enacted prior to the vacancy.
- Election not to be held less than 90 days before the annual municipal election.
- Finance Officer will publish a notice that a vacancy exists and will be filled by special election, the date of election, time and place where nominating petitions may be filed for the office. Nominating petitions prepared and filed as usual according to [SDCL 9-13-7](#), and filed at least 30 days before the date of the elections.
- Notice of special election published as usual according to [SDCL 9-13-13](#) and [9-13-14](#).

VACANCIES

FILLING MUNICIPAL VACANCY BY TEMPORARY REPLACEMENT

- In the cases of Military call-up ([SDCL 3-4-8](#)) or Incapacitation ([SDCL 3-4-9](#)):
 - The member temporarily resigns
 - A temporary replacement is made by appointment
 - The replacement serves until the original member returns or the member's term expires, which ever comes first.
 - If the replacement serves until the original members term expires and no one files for the position, then a vacancy is created. The temporary replacement would then need to be re-appointed if they wanted to continue to serve.

VACANCIES

WHAT IF NO ONE FILES A MUNICIPAL NOMINATING PETITION?

- Law since July 2014
 - If for any reason a municipality fails to elect any person to succeed an elected official whose term has expired or an elected official fails to file a nominating petition or qualify, the office is deemed vacant ([SDCL 9-13-14.3](#)).
 - The elected official whose term has expired shall continue to act in an official capacity until the vacancy is filled by election or appointment pursuant to [9-13-14.1](#) or [9-13-14.2](#).



VACANCIES

HOW ARE VACANCIES CREATED ON SCHOOL BOARDS? [SDCL 13-8-23](#)

- Death
- Removal from the board
- Failure to qualify as provided by law
- Ceases to be a **resident*** of the school district or representation area where elected
- Conviction of any infamous crime or of any offense involving a violation of the member's official oath
- Has a judgment obtained against the member for breach of the member's official bond
- Is incapacitated and is unable to attend to the duties of the position
- Assumes the duties of an office incompatible with the duties of a school board member
- Resignation

***Note:** this says “resident” not “resident voter” which is the language for a candidate to qualify for office.



VACANCIES

HOW ARE SCHOOL VACANCIES FILLED?

- Any vacancy occurring on a school board shall be **filled by appointment** by the remaining school board members.
 - In the case of a resignation the member resigning could be involved in selection of his successor ([SDCL 13-8-25\(3\)](#))
 - A resignation shall not be effective until the successor is appointed and qualified as prescribed by law ([SDCL 13-8-24](#)).
- In the cases of Military call-up ([SDCL 3-4-8](#)) or Incapacitation ([SDCL 3-4-9](#)):
 - The member temporarily resigns
 - A temporary replacement is made by appointment
 - The replacement serves until the original member returns or the member's term expires, which ever comes first.
 - If the replacement serves until the original members term expires and no one files for the position, then a vacancy is created. The temporary replacement would then need to be re-appointed if they wanted to continue to serve.
- The appointee will serve until the next succeeding election at which time a successor shall be elected to serve the unexpired term ([SDCL 13-8-25](#)).

Questions?

BALLOT PREPARATION

- Types of ballots:
 - Paper Ballots – make your own or have them professionally printed.
 - Automated Tabulating System Ballots (optical scan).
- Candidate order:
 - May have witnesses present when drawing for candidate order.
 - Schools – draw by lot ([SDCL 13-7-13](#)).
 - Municipalities – draw by lot ([SDCL 9-13-21](#)).
- List names on the ballot exactly as they appear on the petition.
- Do not include titles or political party affiliation on the ballot.

BALLOT PREPARATION

BALLOT FORM:

- Municipal Election (ARSD 5:02:06:12)
- School Board Election (ARSD 5:02:06:15)
- Special Elections (ARSD 5:02:06)
- If a combined election:
 - One of the ballots will be white.
 - Contrasting colors for the other ballots.
 - Cannot use yellow paper for ballots as that must be the color used for Sample Ballots.

5:02:06:12. Municipal election. The municipal election ballot must be white and must be in the following form.

OFFICIAL MUNICIPAL ELECTION BALLOT
_____, SOUTH DAKOTA
(Election Date)

To vote use a cross (X) or a check mark (✓) in the square in front of the name. DO NOT cast more votes than are allowed in each race.

For Mayor, you may vote for one or leave it blank.

John Doe
 Richard Roe

For (City Commission, City Council, Alderman, Trustee), ____ year term, you may vote for up to ____ or leave it blank.

John Doe
 Richard Roe
 John Smith

For (City Commission, City Council, Alderman, Trustee), ____ year term, you may vote for one or leave it blank.

John Doe
 Richard Roe

For City Council at Large, ____ year term, you may vote for up to ____ or leave it blank.

John Doe
 Richard Roe
 John Smith

For City Council at Large, ____ year term, you may vote for one or leave it blank.

John Doe
 Richard Roe

5:02:06:15. School board election. The school board election ballot must be white and must be in the following form:

OFFICIAL SCHOOL BOARD ELECTION BALLOT
_____**SCHOOL DISTRICT NO. _____, SOUTH DAKOTA**
(Election Date)

To vote use a cross (X) or a check mark (✓) in the square in front of the name. DO NOT cast more votes than are allowed in each race.

For School Board Member _____ year term, you may vote for up to _____ or leave it blank.

- John Doe
- Richard Roe
- John Smith

IMPORTANT RECOMMENDATION

**PROOFREAD the
BALLOT!**

5:02:06:01.02. Optical scan ballot instructions

The instructions to voters found on optical scan ballots shall be enclosed in a box. The appropriate instructions shall be placed at the top of the first column containing presidential electors (subdivision 1 and 8) or presidential delegates and alternates (subdivision 2 or 3 and 8), at the beginning of the portion containing other candidates (subdivision 4 and 8) and at the beginning of the portion containing ballot questions (subdivision 5 and 8). The instructions for all elections must be in the following form without the subdivision numbers:

- (1) To vote for a group of presidential electors FILL IN (Bold) the oval (●) next to the names.
- (2) If the delegates and alternates are printed on the ballot use: To vote for a group of presidential delegates and alternates FILL IN (Bold) the oval (●) next to the names.
- (3) If the political party does not have the delegates and alternates on the ballot use: To vote for a person FILL IN (Bold) the oval (●) next to the name.
- (4) To vote for a person FILL IN (Bold) the oval (●) next to the name.
- (5) To vote on a ballot question FILL IN (Bold) the oval (●) next to "yes" or "no".
- (6) Use only a pencil or pen.
- (7) If you make a mistake, give the ballot back and get a new one.
- (8) DO NOT (Bold) cast more votes than are allowed in each race.

Printers note: Subdivisions 6 and 7 shall be included in the first instruction box only. If the ballot has columns, the words "Go to top of next column" shall be printed on the bottom of any column preceding each column to be voted. If the ballot has races on the back side, the words "Turn page" shall be printed in the lower right corner.

QUESTIONS?

ELECTION WORKER TRAINING



“Welcome Precinct
Workers!”

“Let me first offer my thanks to you for being a precinct worker. Without you it would be impossible to conduct free and fair elections in our state. Your responsibility is great.

ELECTION WORKER TRAINING

Prior to each election, training is to be conducted by the person in charge of the election (*County Auditor, Municipal Finance Officer, School Business Manager*) **and assisted by the jurisdiction’s attorney.**

SDCL 12-15-7 and 12-1-2.

POLL WORKER CONDUCT

Be professional - You are conducting the most essential element of our democracy. Work and act accordingly.

Be on time - Arrive at the polling place at the time required.

Leave “partisan” leanings at the door - All of us have our favorite candidate or position on a ballot question. That’s OK. When you are an election official, however, none of your personal preferences can show while you are working.

Be fair and respectful to ALL - Nothing shakes a voter’s confidence in the integrity of the election more than when a precinct worker treats them or their ballot unfairly.

Work as a team - Your work will be more enjoyable and the voters will be better served if you work as a team.

POLL HOURS

- All elections: 7:00am to 7:00pm legal time
- Be sure the polling place clock is set to the correct time!
- No earlier than twenty-four hours before the polls open, the person in charge of the election may call a special emergency meeting, pursuant to [SDCL 1-25-1](#) and [1-25-1.1](#), of the local governing board to postpone any election, except a primary or general election, for one week if the weather conditions put into question the opening of a polling place. The polling place shall then remain open for the same number of hours as it would normally have been open. Absentee voting shall continue pursuant to [chapter 12-19](#). ([SDCL 12-2-8](#))
- Voters waiting in line at 7:00pm are allowed to vote.
- Precinct workers may not leave polling place while polls are open.

POLL HOURS *cont'd*

- Notwithstanding [SDCL 12-2-3](#), the county auditor may, upon request of the superintendent of an election precinct, if an emergency exists by reason of mechanical failure of a voting machine or an unanticipated shortage of ballots or like unforeseen event warrants it, extend the polling hours for that precinct until the emergency situation has been resolved. If the emergency situation is not resolved within two hours, except for a primary or general election, the polling place shall remain closed for one week and reopen at the time of the closure of the polling place ([SDCL 12-2-4](#)).
- **Please NOTE:** if the polling hours have been extended, anyone in line after 7:00 pm (local time) until the polls would close, have to vote a provisional ballot. If anyone is in line after the extended polling times close they are not allowed to vote.

POLL WORKER RESPONSIBILITIES

Precinct Superintendent

- In charge of the polling place
- Designates election board duties to each election worker
- Duties would include:
 - Registration list
 - Poll book
 - Stamping ballots
 - Handing out ballots
 - Observing returned ballots for a ballot stamp before they are placed in the ballot box
- If you are using the AutoMARK voter assist terminal, refer to slides later slides for the AutoMARK procedures.

POLL WORKER RESPONSIBILITIES

Precinct Deputies

- Perform duties assigned by the superintendent
- Duties may rotate throughout election day if directed by the precinct superintendent
- Precinct worker in charge of the pollbook must be of a different political party than worker in charge of registration list
 - This does not pertain to city and school elections unless they are combined with the County and then the County Auditor would follow this rule.



NO CAMPAIGNING IN OR NEAR POLLING PLACE (SDCL 12-18-3)

- **Before the opening of the polls and throughout election day** the 100 foot area surrounding the entrance to the polling place must be checked to be sure it is free of campaign materials.
- The importance of keeping the polling place free from advertising cannot be stressed enough.
- The polling place includes where absentee voting takes place.
- No campaign advertising, signs, buttons, articles of clothing or any other type of campaigning may be in the polling place or within 100 feet of the entrance to the polling place.
- **Periodically view each polling booth** (when empty) to make sure that no campaign materials are left there.
- **If any campaign materials are found they should be removed.** If some person is campaigning or wearing campaign advertising they must be stopped or asked to exit the area.



- A candidate who is on the ballot in your precinct may only be present long enough to cast their vote.
- If anyone persists with campaign activities within the prohibited area, law enforcement should be called to deal with the situation.



POLL WATCHERS

- Poll watchers work for a candidate or campaign to monitor activity at the polling place.
- Election board workers may not be poll watchers.
- Poll watchers must be allowed to be positioned close enough to the election worker's table so that they can see and hear what is going on but not so that they interfere in any way.
- Poll watchers **may** converse with the election board and look at the pollbook if it doesn't interfere with the voting process.
- Poll watchers **may not** campaign in any way within the polling place, touch any election supplies or control the legal actions of the election board!
- Provide each poll watcher with a copy of the *South Dakota Poll Watcher and Observer Guidelines* as shown on the next screen.
- Voters cannot take a picture of their voted ballot ([SDCL 12-18-3](#)).



South Dakota Secretary of State
SHANTEL KREBS

SOUTH DAKOTA POLL WATCHER AND OBSERVER GUIDELINES

South Dakota law allows poll watchers and observers to be present to observe the voting and counting activity at polling places and provides guidelines for poll watchers and observers. (SDCL 12-18-1, 12-18-4, 12-18-9.)

Any person present at a polling place to observe who does not declare themselves to represent one of the candidates before is not a poll watcher but is an observer. ABRIDGED SD CL 12-18-1 defines the number of poll watchers allowed at each polling place for the following elections:

- **Primary** - ONE for each candidate, ONE for each state of national convention delegates, ONE for each state of any ballot issue
- **General** - ONE for each party, ONE for each independent candidate, ONE for each state of presidential electors, ONE for each state of any ballot issue
(Additional poll watchers are allowed if "adequate space" permits)

No person is allowed to view the contents of a voter's voted ballot (SDCL 12-18-17).

Those **NOT** allowed as Poll Watchers:

- Election Board Members
- Candidates on the ballot (cannot be an Observer either)

Poll watchers must be positioned in a location where they can plainly see and hear what is done within the polling place but may not interfere in any way (SDCL 12-18-9). Poll watchers and observers may converse with the election board and look at the pollbook only if it doesn't interfere with the voting process.

Within 100 feet of a polling place (includes adjacent voting polling places), poll watchers and observers **MAY NOT** do any of the following (SDCL 12-18-1, 12-18-8.1, 12-26-21, 12-26-22):

- Campaign or wear buttons or clothing containing campaign information
- Solicit votes for or against any person, political party or ballot question position
- Maintain an "office or public address system"
- Interfere with a voter's free access to the polling place
- Interfere with the officials' actions of the election board
- Disrupt the administration of the polling place
- Use any communication or photographic device in any manner which repeatedly disturbs, intercepts or intimidates any voter at election results
- See into voting booths, read identifying numbers on a photo identification card or interfere with voters in the act of voting in with the official action of the election board
- Disclose a lawful constituent of any election results
- Cause a disturbance or breach of peace
- Engage in disorderly conduct such as disruptive behavior or making unreasonable noise
- Gather petition signatures
- Use the polling place telephone designated for the election board
- Take any unilateral steps to change any action, function or activity occurring at the polling place
- Advocate for or against a vote at the vote station with the election board

If a poll watcher or observer has a concern or question about any action occurring at the polling place, that person should bring this concern to the attention of the precinct superintendent. It is then the superintendent's responsibility to respond to that question or concern.

ELECTION DAY PROCEDURES

The following pages will show you each of the activities that you will perform throughout election day. We will begin by looking at those things that must be done before the polls open, continue through election day and finish with the counting of the ballots and election supply cleanup.

BEFORE THE POLLS OPEN

- Count ballots and verify the number of ballots against ballot receipt.
- Display American flag inside or outside polling place.
- Display a “Vote Here” or similar sign outside the polling place.
- Prepare voting booths and supplies.

Poll workers will all take the oath of office found inside the pollbook.

The image shows three identical copies of a form titled "Oath of Precinct Officials". Each form has a header section with the title and a line for the precinct name. Below this is a paragraph of text: "I, _____, do solemnly swear or affirm that I will perform the duties of precinct representative or precinct clerk or precinct assistant according to law and the form of my ability and that I will not in any respect engage in conducting the election other than to be held." This is followed by a line for the individual's name and a line for their address. The form is presented as a stack of three, with the top one being the most legible.

BEFORE THE POLLS OPEN

Precinct superintendent will sign receipt for official ballots and election supplies. ARSD 5:02:05:08

STATE OF SOUTH DAKOTA)
COUNTY OF _____)

I, _____, Superintendent of Election in and for the voting precinct of _____ in said County, do hereby certify that on the ____ day of _____, 20____, at the hands of _____ (Auditor, Sheriff), by _____, his deputy, of said County, I received a sealed package said to contain official ballots and necessary supplies for the use of the voters of said precinct at the _____ election to be held on Tuesday the ____ day of _____, 20____.

Dated this ____ day of _____, 20____.

SUPERINTENDENT OF ELECTION



BEFORE THE POLLS OPEN

Precinct election board will sign receipt for official ballots. ARSD 5:02:05:06

STATE OF SOUTH DAKOTA

COUNTY

PRECINCT

We, the Precinct Election Board Members, do hereby certify that on Tuesday the ____ day of _____, 20____, at the opening of the polls for the election held on that day, we received from _____ a sealed package containing the following official ballots:

(Here list the official ballots received)

_____	_____
_____	_____
_____	_____
_____	_____

for the use of the voters at the election.

Dated this ____ day of _____, 20____.

Precinct Superintendent

Precinct Deputy

Precinct Deputy

Precinct Deputy

Precinct Deputy



ELECTION MORNING AUTOMARK TEST

Prior to the opening of the polls, the Precinct Superintendent must test the AutoMARK for proper operation using the following procedure:

1. Use only the test ballots provided by the person in charge of the election which are labeled “**TEST BALLOTS**”. These will be provided in your AutoMARK Election Day Polling Place Kit.
2. Mark at least two “**TEST BALLOTS**” using the AutoMARK by selecting various candidates and ballot questions using the touchscreen, keypad and headphones.
3. When two “**TEST BALLOTS**” print properly, the AutoMARK is ready for use by voters. Store the “**TEST BALLOTS**” with your AutoMARK Election Day Polling Place Kit. **DO NOT** place the “**TEST BALLOTS**” in the ballot box.
4. If the AutoMARK does not properly mark the ballots, use the troubleshooting section found on page 89 to resolve the problem. If your troubleshooting is unsuccessful, call your County Auditor.
5. You must successfully mark two “**TEST BALLOTS**” before allowing voters to use the AutoMARK™.
6. Even if the AutoMARK test is not successfully completed, open the polls at 7:00 am. Do not allow voters to use the AutoMARK until the test is successfully completed.

AUTOMARK ELECTION DAY CHECKLIST

Before Polls Open

- ❑ Make sure the AutoMARK is in place on the special AutoMARK table and in a location that both encourages accessibility and maintains privacy.
- ❑ Place the INSTRUCTIONS TO THE VOTERS label below the AutoMARK.
- ❑ Plug in the AutoMARK and install a print cartridge.
- ❑ Make sure the touch screen and ballot feed tray are out and ready.
- ❑ Make sure the headphones are not plugged into the audio slot but are next to the AutoMARK on the table.
- ❑ Make sure the privacy shield that comes with the special table is in place over the AutoMARK.
- ❑ Insert the gold Mode Switch Key and turn to ON. **Be Patient** ☺ (The screen will remain black for about 1 minute and then finally show boot progress.)
- ❑ Verify that the light above the key is green to confirm that the AutoMARK is receiving AC power. (If the light is yellow, the machine is on battery power, which will only last 2 hours.)

AUTOMARK ELECTION DAY CHECKLIST

Before Polls Open cont'd

- ❑ Perform the required voting test with at least the 2 special ballots marked **TEST BALLOT** by inserting, viewing, listening to, moving through, and marking the 2 ballots. (Use the touch screen and the keypad to communicate with the AutoMARK.) If the system does not properly mark the test ballots, the precinct superintendent shall work on the system until a successful test is conducted. The precinct superintendent shall maintain custody of the key to activate the system at all times. Call your County Auditor if you need help.
- ❑ Return all ballots used to test the AutoMARK to the Election Day Polling Place Kit.
- ❑ Turn the **Mode Switch Key to TEST**.
- ❑ From the information displayed at the bottom of the **TEST MODE screen**, record the number after **LIFETIME PRINT COUNTER** on the AutoMARK Election Day Polling Place Recording Sheet.
- ❑ Record also the **serial number** of the AutoMARK, which is also displayed at the bottom of the **TEST MODE screen**.
- ❑ Record the **number of the seal** that is **securing the door** that contains the election definition.
- ❑ Turn the **Mode Switch Key back to the ON position**, remove the key, and **keep it secure**. The AutoMARK is ready for voters.

AUTOMARK ELECTION DAY CHECKLIST

After Polls Close

- ❑ Insert the **Mode Switch Key** and turn to **TEST**.
- ❑ **Record** again the **number after LIFETIME PRINT COUNTER**.
- ❑ **Record** again the **number of the seal that is still securing the door** that contains the election definition.
- ❑ **Sign** the completed **Election Day Polling Place Recording Sheet**.
- ❑ Turn the **Mode Switch Key to OFF** and **remove the key**. Return the key and the AutoMARK Election Day Polling Place Recording Sheet to the AutoMARK Election Day Polling Place Kit.
- ❑ **Remove the print cartridge** from the AutoMARK and seal it in the ziplock bag in the Kit.
- ❑ **Return the AutoMARK Election Day Polling Place Kit to your County Auditor** apart from the AutoMARK case on election night.

AUTOMARK ELECTION DAY POLLING PLACE RECORDING SHEET

Before Polls Open

LIFETIME PRINT COUNTER: _____

Serial Number: AM0105 _____

Number of the Seal: _____

After Polls Close

LIFETIME PRINT COUNTER: _____

Number of the Seal: _____

Name of County: _____

Name of Polling Place: _____

Signature of the Precinct Superintendent in charge of the AutoMARK

If you have time, please offer any comments below:

Did you have any problems with the AutoMARK during Election Day? If so, please describe:

Describe any ideas or concerns on how the AutoMARK functioned or was received by voters throughout Election Day.

Post **regular** size
“Instructions to the Voters”
in each voting booth.

INSTRUCTIONS TO THE VOTER

PAPER BALLOT

TO MARK THE BALLOT

Use a cross (X) or check mark (✓) for each vote.
Do not make any marks other than a cross (X) or check mark (✓).
Do not erase anything on your ballot.
Do not rip your ballot or make holes in it.
Do not write in a name.

IF YOU MAKE A MISTAKE

If you make a mistake, give the ballot back and get a new one.
If you cast more votes than allowed in a race, give the ballot back and get a new one.

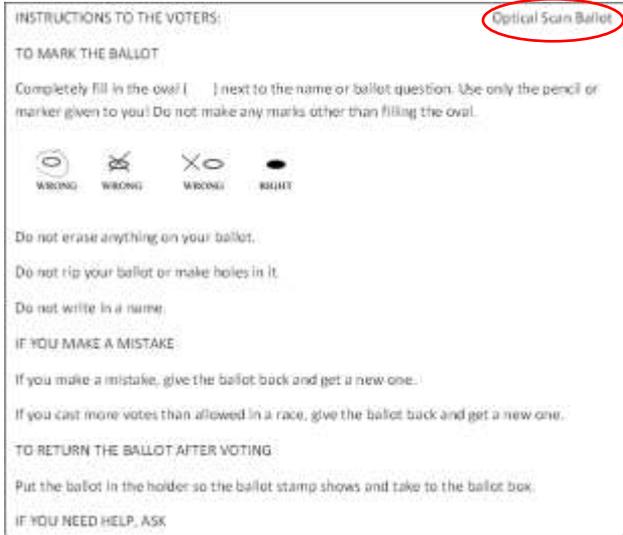
TO RETURN THE BALLOT(S) AFTER VOTING

Fold each ballot so the ballot stamp shows and take to the ballot box.

IF YOU NEED HELP, ASK.

Two **large** “Instructions to the Voters” posters must also be posted in the polling place.

Post **regular** size “Instructions to the Voters” in each voting booth.



Two **large** “Instructions to the Voters” posters must also be posted in the polling place.

POST THE FOLLOWING NOTICE ON EACH ENTRANCE TO THE POLLING PLACE AND ONE INSIDE THE POLLING PLACE.
ARSD 05:02:05:26

Please Read

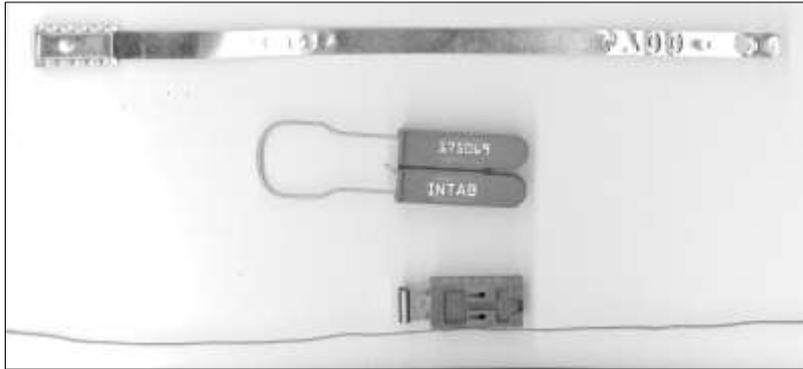
To vote, you must either:

- Present a photo ID, or if not able to do so,
- Sign an affidavit which will be given to you.

Accepted forms of photo identification include any one of the following:

- A SD driver license or nondriver ID card; or
- A US government photo ID; or
- A tribal photo ID; or
- A current student photo ID from a SD high school or SD accredited institution of higher education.

Remove everything from the ballot box and seal the ballot box with a metal or plastic seal in preparation for voting. **The ballot box cannot be unsealed until it is time to count the ballots.**



Declare the polls open at the legal starting hour.

PROCEDURE WHEN VOTER PRESENTS THEMSELVES TO VOTE

- The following screens detail the process for each voter who presents themselves to vote.
- Any person who has voted and returned an absentee ballot may not vote again at the polling place.
- If there is any question regarding the steps to verify the voter's identity or whether the voter receives a regular or provisional ballot, please consult the *South Dakota Polling Place Voter Key* as shown on the next screen.
- The back side of the *South Dakota Polling Place Voter Key* contains suggested responses to voters for each of the situations presented on the *Voter Key*.

VOTER IDENTIFICATION AT THE POLLS

Voter presents themselves to the precinct worker in charge of the registration list. The voter must announce their name and show a valid photo identification. Valid identification is:

- A South Dakota driver's license or non-driver identification card;
 - If the license is expired that is still an acceptable form of ID
- A passport or an identification card, including a picture, issued by an agency of the United States government;
- A tribal identification card, including a picture; or
- A current student identification card, including a picture, issued by a high school or an accredited institution of higher education, including a university, college, or technical school, located within the State of South Dakota.

VOTER IDENTIFICATION AT THE POLLS *cont'd*

- A member of the election board must verify that the picture on the ID matches the voter. The name on the ID must also match the name on the voter registration list. The address on the ID does not have to match what is on the voter registration list.
- If the election board worker cannot make this verification, the worker may consider:
 - Other forms of identification;
 - Personal knowledge; and
 - The voter's explanation.
- If the voter's identity can't be proven to the satisfaction of the election board, the voter may vote a **provisional** ballot.

- If the voter **does not have** in their possession a **valid identification**, the voter may **retrieve an ID** or **complete a *Personal Identification Affidavit* (ARSD 05:02:05:25)**. Every voter without a valid ID in their possession must be given this option!

What you could see on the **registration list**:

1. Voter is listed as “**inactive**”
 - “Inactive” may be indicated on the list by an “I or Inactive or Complete new VR form” next to the voter’s name. See the example of Allen Braumbaugh on the next page.
 - If the voter is inactive they **must complete a new voter registration form** as shown on the next page.
 - If the registration card shows a **residence address within South Dakota**, the voter is allowed to vote.
 - If the registration card shows a **residence address outside of South Dakota**, the voter is not allowed to vote.
2. Ballot sent date is next to the voter’s name
 - This indicates that the voter has been sent an absentee ballot.

UNDERSTANDING THE VOTER REGISTRATION LIST

A precinct voter registration list is shown below:

Election		County	Polling Place		
Type:	Primary	Brody	Egan Service Center Building		
Date:	06/03/2024				
Precinct-4					
A					
Voter ID	Alternate Status	Name	DOB Address	Precinct	Ballot Name
204038		Adams, Jason L (2ND)	1876 20403 47th Ave, Spear	Precinct 4	Democratic Sulist Ron- Tuckson State Republican Sulist
401752		Anderson, Alan Anna (2ND)	1880 22788 462nd Ave, Handrean	Precinct 4	Republican Sulist
413100		Anderson, Brian C (2ND)	1991 22788 462nd Ave, Handrean	Precinct 4	Republican Sulist
541888		Anderson, Matthew W (2ND)	1991 22788 462nd Ave, Handrean	Precinct 4	Republican Sulist
541900		Anderson, Stephen R (2ND)	1990 22788 462nd Ave, Handrean	Precinct 4	Republican Sulist
547864		Anderson, Dennis R (2ND)	1858 47558 227th St, Trout	Precinct 4	Republican Sulist
547872	INACTIVE	Anderson, Juan (2ND)	47578 3rd Highway St, Handrean	Precinct 4	Republican Sulist
547872		Anderson, Jeremy Alan (2ND)	1991 22788 462nd Ave, Handrean	Precinct 4	Democratic Sulist Ron- Tuckson State Democratic Sulist
547877		Anderson, Jason W (2ND)	1992 22788 462nd Ave, Handrean	Precinct 4	Democratic Sulist Ron- Tuckson State Democratic Sulist
441772	NO LONGER REGISTERED	Anderson, Karl L (2ND)	1880 22788 462nd Ave, Handrean	Precinct 4	Democratic Sulist Ron- Tuckson State Democratic Sulist
547880		Anderson, Terry L (2ND)	1858 47558 227th St, Trout	Precinct 4	Democratic Sulist

South Dakota
Voter Registration Form
County

Use this form to register to vote or report a name, address, or party change.
Please print. Complete the entire form. Submit this form to your county auditor.

The deadline for voter registration is 15 days before any election. Your form must be received by the county auditor by this deadline if you are to vote in the next election, unless 15 days before you will receive a notice of your registration. If you do not, contact your county auditor. Any complete person or entity registering votes is required to provide you with their contact information. For more information, call your county auditor.

Are you a citizen of the United States of America?
 Yes No Other

Are you 18 years of age or older before the next election?
 Yes No

If you checked "Yes" in response to either of these questions, please complete this form.

1	Last Name	First Name	Middle Name (Initial)	Suffix
2	Residence Address	Apt. or Unit #	City	State Zip Code
3	Working Address (if different)		City	State Zip Code
4	If Residence Address is a PO Box, rural box, or parcel delivery, you must give the location of your residence			
5	State of Birth (Required)	Telephone Number	South Dakota Driver License Number (Required)	
6	Month / Day / Year		If you do not have a current ID Driver license, provide the last 4 digits of Social Security Number	
7	Choose of Party	Postal Address		
8	Use this section to correct your previous voter registration. (Previous voter registration information required, if applicable)			
9	Previous Last Name	First Name	Middle Name (Initial)	Suffix
10	Previous Address		City	State Zip Code
11	Previous Driver License Number and State	Previous County	Date of Birth (Required)	

Should you like to be a precinct election worker on the checklist?
 Yes No

I declare, under penalty of perjury (3 years imprisonment and \$5,000 fine), that:
 * I am a citizen of the United States of America;
 * I am 18 years of age or older on or before the next election;
 * I have not been judged mentally incompetent;
 * I am not currently serving a sentence for a felony conviction; and
 * I authorize cancellation of my previous registration, if applicable.

Signature Required

Date: _____ Month / Day / Year _____

Submit one only. Agency code

3. Voter's name is **not on the registration list**

- Ask the voter if they are registered to vote in this precinct. If the answer is “**no**”, they are not allowed to vote a regular ballot.
 - Contact the County Auditor
 - County auditor may advise to allow voter to vote a provisional ballot
 - Have them fill out a new voter registration form so that they will be able to vote in the **next** election.
- If the answer is “**yes**”, contact the county auditor to verify if the voter's name was mistakenly left off the registration list. The auditor will provide one of three responses:
 - There is no record of that person registering in that precinct. The voter will not be allowed to vote a regular ballot but must be given the opportunity to vote a **provisional** ballot. Have the voter fill out a registration form so that they will be able to vote a regular ballot in the **next** election.

- The voter is registered in another precinct in this county. Send the voter to that precinct.
- We made a mistake in preparing the registration list. The voter will be allowed to vote a **regular** ballot. Before voting, the voter and precinct workers **must complete and sign the *Emergency Voting Card* (ARSD 5:02:05:20)**.

EMERGENCY VOTING CARD FOR _____ COUNTY	
_____ Ward	_____ Precinct
Party _____	
Name _____	
Residence _____	
The undersigned members of the precinct election board hereby certify that the above-named voter was permitted to vote in this precinct at the election held _____, 20____, pursuant to instructions from the office of the county auditor.	
Signature of Voter _____	
Signature of precinct election board member calling office _____	
Authorized by:	
_____ Precinct election board members	_____ Precinct election board member
_____ Precinct election board member	_____ Precinct election board member

PROVISIONAL BALLOT

Who may vote a provisional ballot?

- A person who:
 - Is not on the registration list; and
 - Claims to be registered in that precinct; and
 - Is not eligible to vote a regular ballot by using an emergency voting card.
- A person who is successfully challenged as described in the next slide “*Challenging a Voter*”.
- A person whose identity can’t be proven as described in an earlier slide “*Voter Identification at the Polls*”.



CHALLENGING A VOTER



- A person’s right to vote may be challenged for the following reasons (SDCL 12-18-10):
 - The person’s identity is not that of the registered voter;
 - The person has been convicted of a felony or declared mentally incompetent since the registration list was prepared; or
 - In school and municipal elections, the person is not a resident of the school district or municipality (SDCL 9-13-4.1 and 13-7-4.2). Resident is defined as:
 - Live within the school district or municipality at least 30 days within the past year; or
 - Full-time postsecondary student who resided in the school district or municipality immediately prior to leaving for school; or
 - On active duty as a member of the armed forces whose home of record is within the school district or municipality.
- The challenger will present evidence to the precinct election board. The voter would be allowed to offer evidence supporting their right to vote.
- Based on the evidence presented and any personal knowledge the precinct election board will impartially determine if the person is eligible to vote.



PROCEDURE FOR VOTING A PROVISIONAL BALLOT IS:

- Voter must complete the affirmation on the blue provisional ballot envelope.

B-113—Provisional ballot envelope. 8:02:05:23

Voter's Affirmation for a Provisional Ballot

My voter registration was completed on or about the following date and was left with the following person or agency for delivery to the county auditor: _____

My name is _____ I reside at _____
my mailing address is _____ My date of birth is _____
my SD driver license number is _____ my daytime telephone number is _____
and my evening telephone number is _____
If I do not have a South Dakota driver license the last four digits of my social security number are _____

I understand if the election authority determines that I am not registered in this precinct and therefore not eligible to vote in this precinct, my vote will not be counted. I further understand that my vote may not be counted if only one provisional ballot is cast in the precinct. I declare and affirm under penalty of perjury that I registered and am eligible to vote in this precinct.

Signature of Voter _____ Date _____
To be completed by a precinct election worker:
Precinct number _____ Type of ballot provided to voter _____

Signature of precinct worker _____

Source: SB SDP 177, effective July 2, 2008; 01 SDP 214, effective July 4, 2006; 01 SDP 231, effective July 1, 2007. District Authority: SDOS, 12-18-05. Law Enforcement: SDOS, 12-18-05.

PROCEDURE FOR VOTING A PROVISIONAL BALLOT IS:

- ✓ Write voter's name in pollbook and designate as a provisional voter.
- ✓ Provide the voter the correct ballot and stamp with official ballot stamp.
- ✓ Voter votes the ballot and seals it in the provisional ballot envelope.
- ✓ Envelope is placed in the ballot box.
- ✓ Give the voter a "Notice to Provisional Voter" sheet with the following language:

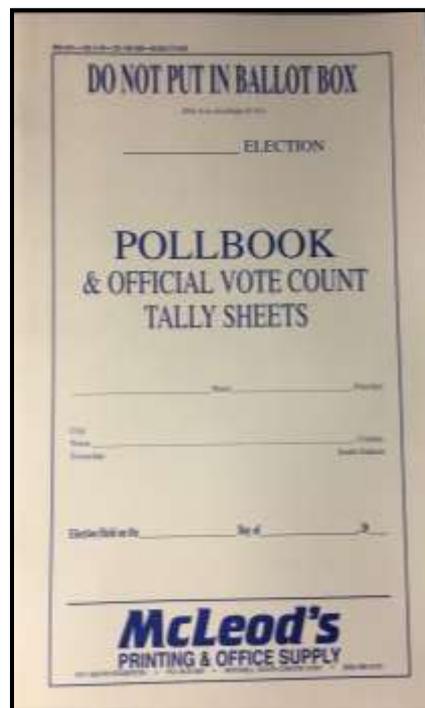
Provisional Ballot

You will be sent a notice within 13 days whether your ballot was counted or not counted. If the ballot was not counted, you will be told of the reason. ARSD 05:02:05:23

ONCE IT HAS BEEN DETERMINED THAT THE VOTER MAY CAST A BALLOT:

- **Mark** the voter's name on the registration list in the manner you have been instructed.
- **Announce** the voters name (*and party if in a primary*).
- **Write** the voter's name in the pollbook.
- If all of the voters in your precinct do not receive the same ballot, **mark** in the pollbook **which ballot** the voter is given.
- The pollbook cover and pages for the listing of voter names are shown on the following pages.

POLLBOOK
COVER



SAMPLE
PAGE OF A
POLLBOOK

LIST OF VOTERS					
No.	NAME OF VOTER	Type of Ballot	No.	NAME OF VOTER	Type of Ballot
1			49		
2			50		
3			41		
4			48		
5			49		
6			50		
7			51		
8			52		
9			53		
10			54		
11			55		
12			56		
13			57		
14			58		
15			59		
16			60		
17			61		
18			62		
19			63		
20			64		
21			65		
22			66		
23			67		
24			68		
25			69		
26			70		
27			71		
28			72		
29			73		
30			74		
31			75		
32			76		
33			77		
34			78		
35			79		
36			80		
37			81		
38			82		
39			83		
40			84		
41			85		
42			86		
43			87		
44			88		
45			89		
46			90		
47			91		
48			92		
49			93		
50			94		
51			95		
52			96		
53			97		
54			98		
55			99		
56			100		

- Provide the voter with the correct ballot. The ballot must have an official ballot stamp (shown below).
- ARSD 05:02:05:00 lists the contents required for the official ballot stamp.

OFFICIAL BALLOT
(NAME OF COUNTY, SCHOOL DISTRICT, MUNICIPALITY,
OR OTHER POLITICAL SUBDIVISION)
 (Precinct name or number or both)
SOUTH DAKOTA

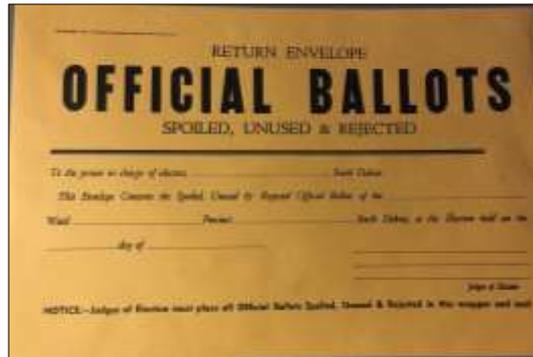
- For **hand counted paper ballots**, place the ballot stamp on the back near the top of the ballot before being given to the voter.
- For **optical scan ballots**, place the stamp where indicated by the person in charge of the election.
- If there is more than one type of ballot at your polling place, **be sure the voter gets the correct ballot!**

RETURN OF SPOILED AND UNUSED BALLOTS

5:02:16:34. Return of unvoted ballots. All spoiled and unused ballots shall be returned to the person in charge of the election in plain wrappers or envelopes with the words "spoiled ballots" or "unused ballots" added to each wrapper or envelope. Each wrapper or envelope shall be sealed by a ballot seal containing the following information:

BALLOT WRAPPER OR ENVELOPE SEAL _____ PRECINCT
NUMBER OF BALLOTS _____

DO NOT PLACE THESE SPOILED AND UNUSED BALLOTS IN THE BALLOT BOX



ABSENTEE BALLOT PROCESSING

- Process absentee ballots whenever you have time during election day or immediately after the polls close.
- The person in charge of the election will provide you with all of the applications for absentee ballots and all of the returned absentee ballots sealed in their individual envelopes. No absentee ballot may be accepted after the close of the polls.
- Compare the signature on the ballot envelope with the signature on the application.
- In-person voted absentee ballots are in a combined application/envelope with only one signature from the voter. You will have no signatures to compare for these absentee ballots since these were voted in person at the election official's office.
- A voter is not allowed to deliver their absentee ballot to the polling location. Only an authorized messenger is allowed to do so **ONLY** if there was no time to deliver the ballot to the person in charge of the election in time for that person to get it to the polling location.

ABSENTEE BALLOT PROCESSING *cont'd*

If you are satisfied that:

- The ballot was voted by the voter whose name appears on the ballot envelope; and
- The voter is registered in your precinct (if the voter is registered as “inactive”, a completed voter registration card must accompany the absentee ballot); and
- The application and ballot envelope or the in-person combined application/envelope were signed by the voter; then...
- **Mark** the registration list and **enter** the name in the pollbook.
- **Remove** the ballots from the envelope **without unfolding them**.
- **Place** the official ballot **stamp** on the ballot.
- **Place** the ballot **in the ballot box**.
- If an **absentee voter dies** before election day, the ballot is not processed.
- If you determine that an **absentee ballot cannot be counted**, the **envelope should not be opened** and the **reason for not counting** should be indicated on the envelope.

CLOSING THE POLLS IN OPTICAL SCAN BALLOT PRECINCTS

- If you use hand-counted paper ballots, these instructions are not for you. Skip this slide and the next four slides.
- The poll closing process must be open to the public. No one may be excluded from watching the closing process provided there is no interference with the process.
- Complete the recap sheet as shown on the next screen. **This DOES NOT require opening the ballot box.**

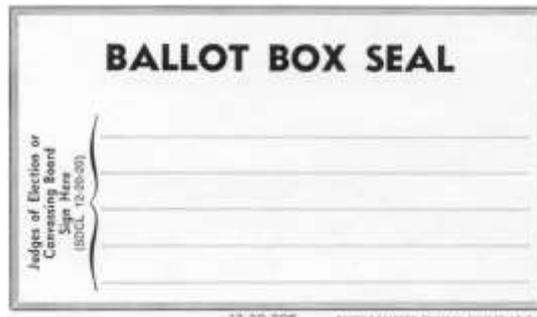
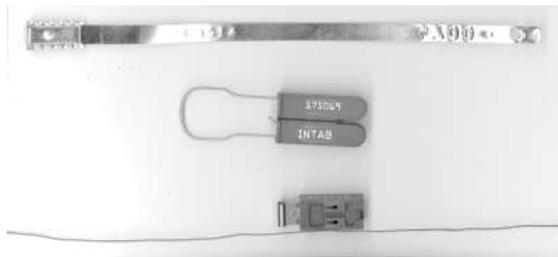
Use this for
Optical
Scan
Ballots

AFTER COMPLETING OF THE RECAP SHEET

Compare the:

- Number of voters from the pollbook (**line 12**); and
- Number of ballots voted (**line 9**)
 - These numbers should be equal.
- If these numbers are not equal, compare the pollbook names with the names marked on the voter registration list. Correct any errors.
- If any corrections are made to the pollbook, the number of voters on **line 12** should also be corrected.

- Seal the ballot box clasps with a metal or plastic seal. Seal any remaining slots with a paper seal.



TRANSPORTING THE BALLOT BOX

- ✓ Transport the sealed ballot box, unvoted ballots, spoiled ballots and all other election supplies to the counting location by the most direct route.
- ✓ The ballot box **MUST** be transported by:
 - Two members of the precinct board, one of each major political party (*this only applies to primary or general elections*); or
 - A sheriff's deputy and two deputy county auditors, one of each major political party; or
 - Two deputy county auditors, one of each major political party.



CLOSING THE POLLS AND COUNTING THE VOTES IN HAND-COUNTED BALLOT PRECINCTS

- The vote counting process must be open to the public. No one may be excluded from watching the vote counting as long as there is no interference with the vote count process.
- Open the ballot box, remove the ballots and if there is more than one type of ballot, sort the ballots by type.
- Place any Provisional Ballot and Uncounted Absentee Ballot envelopes in the large Provisional and Uncounted Absentee Ballot Return Envelope ([ARSD 05:02:16:44](#)):

PROVISIONAL AND UNCOUNTED ABSENTEE BALLOT RETURN ENVELOPE

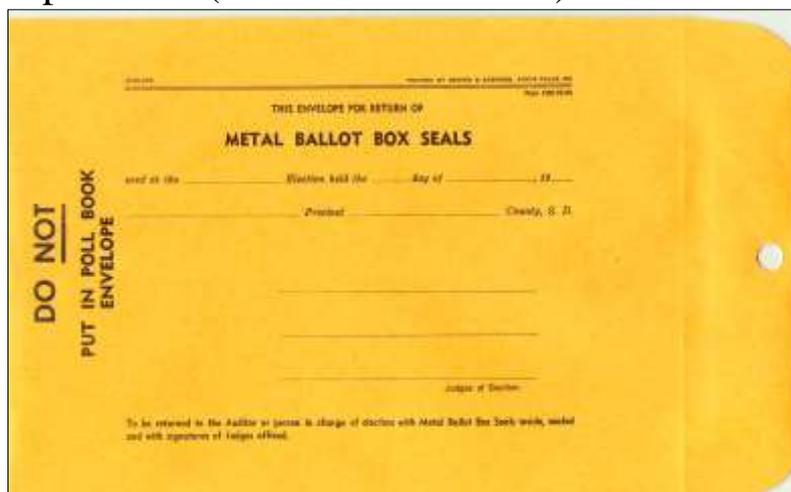
_____PRECINCT

TO: COUNTY AUDITOR

SOUTH DAKOTA
DO NOT PUT THIS IN BALLOT BOX

Hand Counted
Paper Ballots

- Place the ballot box seal in the envelope provided ([ARSD 05:02:05:09](#)).



COUNTING THE BALLOTS

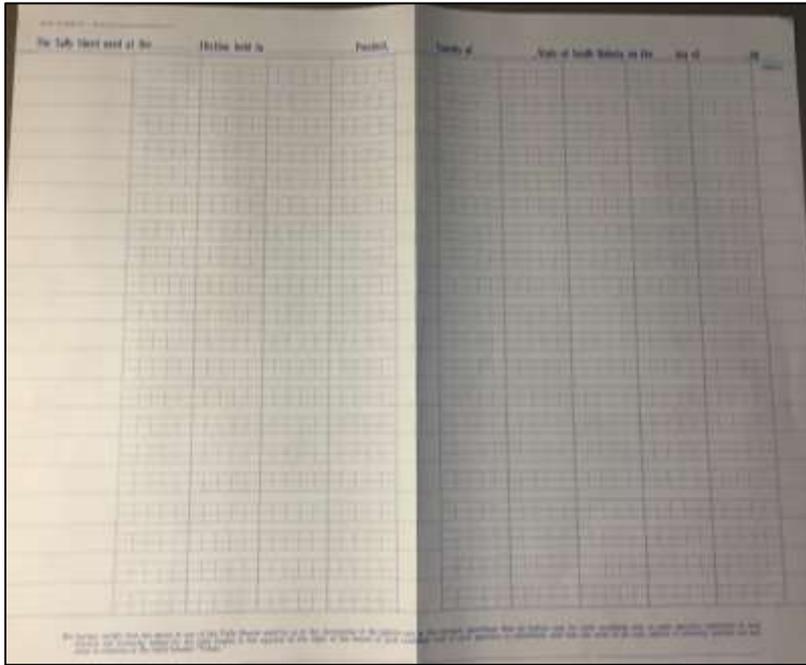
- Sort ballots according to ballot type if you have more than one type.
- Count the number of ballots in each ballot type.
- Check your ballot count against the number of voters in the pollbook who voted that type of ballot.
 - If the numbers are the same, proceed with vote counting.
 - If there are more ballots than voters voting that type of ballot, place those ballots back in the box, mix them up and withdraw (unopened) the number of excess ballots. These excess ballots are not counted and are marked as “Excess ballot not counted” (ARSD 05:02:16:09.01).
 - If the number of voters exceeds the number of ballots, proceed with vote counting.
- Examine each ballot for the official ballot stamp. Remove any ballots without the stamp and mark “Unstamped Ballot”.



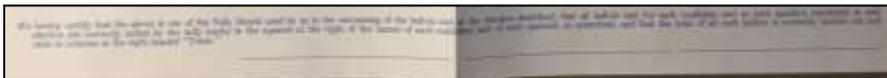
COUNTING THE BALLOTS

- At least two precinct deputies shall examine each ballot to determine how each vote is cast. If the election is a primary or general election the precinct deputies must be of opposite political parties. If there is a dispute, the precinct superintendent will break the dispute.
- A voting mark that is in or touches the circle or square shall be counted. A mark that does not touch the circle or square and is not on or in the circle or square, may not be counted.
- If a write-in vote is found on the ballot, that vote is not counted but all other votes on the ballot for which the voter’s intent can be determined shall be counted.
- Two tally sheets are used for vote tabulating. One is in the pollbook and the other is a separate sheet called the duplicate tally sheet. A sample is shown on the following page.
- The names of the candidates will be written in the proper place in the pollbook tally sheet and the duplicate tally sheet.

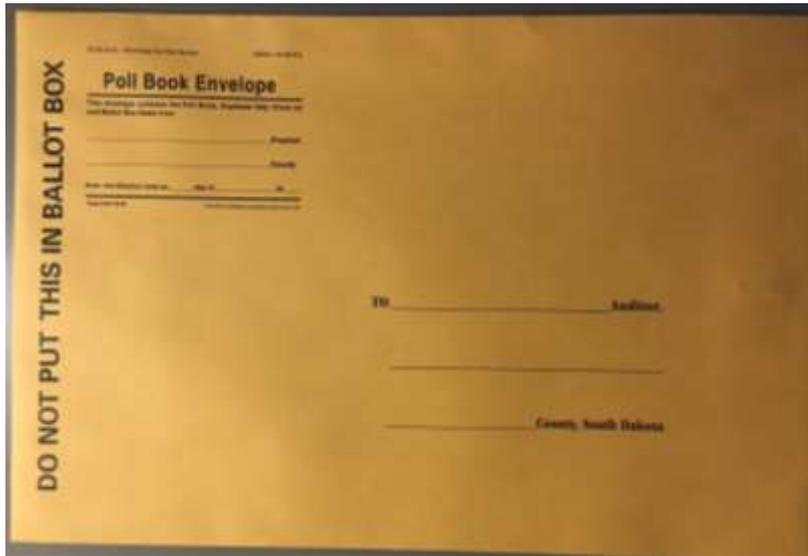




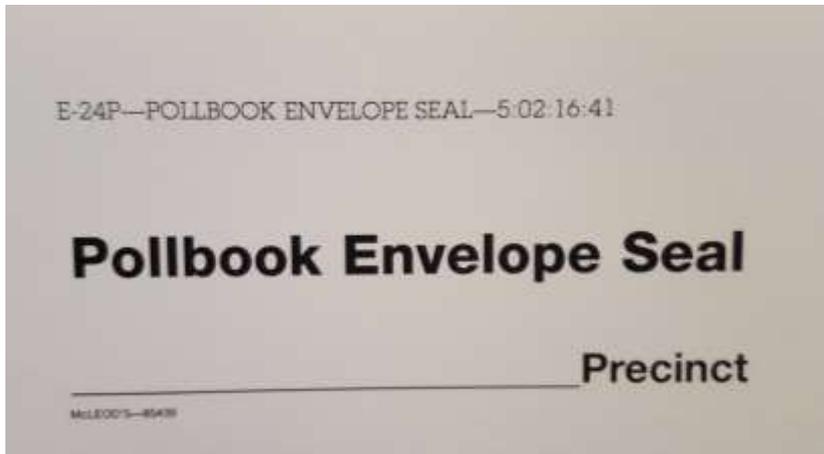
- Votes are recorded on the tally sheet in the pollbook by one precinct worker and on the duplicate tally sheet by another precinct worker.
- As each vote is determined, a hash mark will be placed next to the candidate's name on both tally sheets.
- When all ballots have been processed, the hash marks are totaled and the result placed on the tally sheets.
- The precinct workers will sign the statement on the bottom of the tally sheets as shown below.



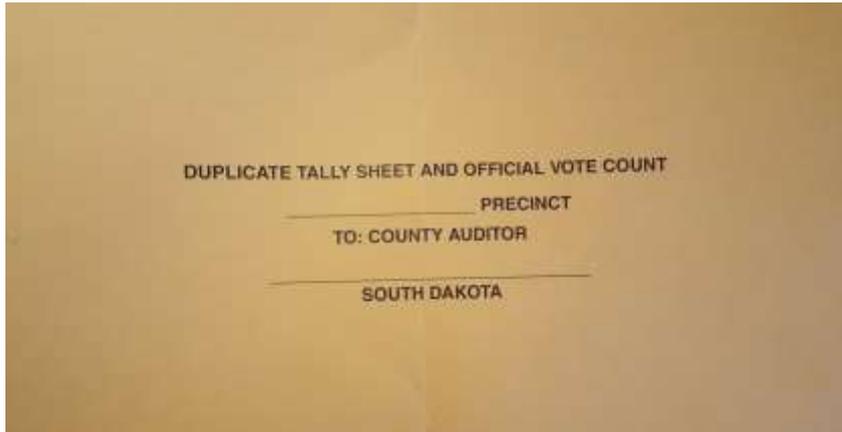
- Seal the pollbook in the envelope provided (ARSD 05:02:16:40).



- Place the pollbook envelope seal on the pollbook envelope (ARSD 05:02:16:41).



- Seal the duplicate tally sheet and official vote count sheet in the envelope provided ([ARSD 05:02:16:40.01](#)).



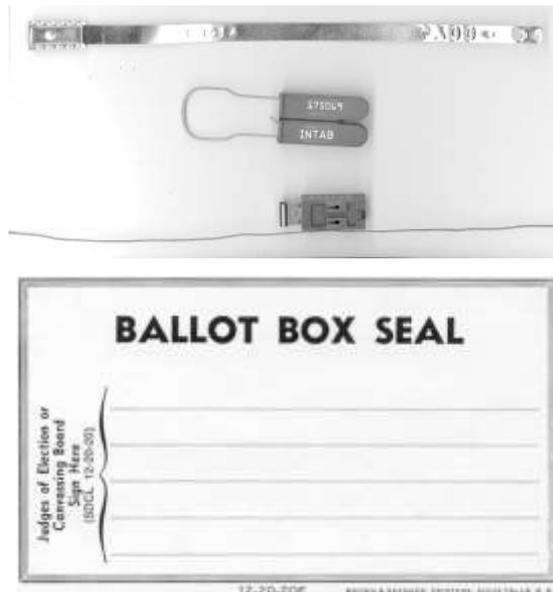
Hand Counted
Paper Ballots

WHAT GOES IN THE BALLOT BOX:

- Place the voted ballots in an envelope or separated by a wrapper and then place in the ballot box per [ARSD 05:02:16:33](#).
- Place any voted ballots but not counted in an envelope or separated by a wrapper with the words “ballots voted but not counted” added to the wrapper or envelope per [ARSD 05:02:16:35](#). These are also placed in the ballot box.
- Nothing else goes in the ballot box.



- Seal the ballot box clasps with a metal or plastic seal.
Seal any remaining slots with a paper seal.



RETURN THE FOLLOWING TO PERSON IN CHARGE OF THE ELECTION:

- Sealed ballot box
- Unvoted ballots
- Provisional and Uncounted Absentee Ballot Return Envelope for hand-counted precincts only (ARSD 05:02:16:44). In optical scan precincts these ballots are still in the ballot box.
- Sealed pollbook and duplicate tally sheets
- Voter registration list
- Immediate Unofficial Returns of Precinct Vote form (ARSD 05:02:16:25)
- Absentee voting materials
- All other election supplies

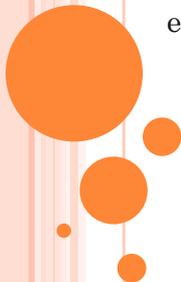


CONGRATULATIONS! You have successfully completed the “Election School”. You are now ready to serve the voters of South Dakota. If you have additional questions about your responsibilities on election day, please consult the person in charge of your election.



ABSENTEE VOTING

- Any registered voter, without a reason, may vote by absentee ballot.
- Absentee ballots must be made available no later than fifteen days prior to the election.
- If you combine with a Primary or General Election, the ballots must be available 46 days prior to the election. (SDCL 9-13-21, 13-17-13 and 12-19-1.2)



ABSENTEE BALLOT APPLICATION

There are many ways to request an absentee ballot:

- Prescribed form (ARSD 5:02:10:01) can be found at www.sdsos.gov.
- Federal Post Card Application (FPCA).
- Letter.
- All the above must be signed, dated and complete.
- Check registration list before sending an application or ballot.
 - If they aren't registered include a Voter Registration form with the application.
 - If they aren't registered but have submitted the application, they need to complete a voter registration form prior to sending the ballot.
- Give these top priority since there are only 15 days of absentee voting.

The image shows the South Dakota Absentee Ballot Application Form. At the top, it says 'South Dakota Absentee Ballot Application Form' and 'County'. Below that, it says 'Please print and complete your county address. If new information must be completed read instructions page.' There are several sections for personal information, including name, address, and date of birth. It also has a section for 'BE THE ELIGIBLE' with checkboxes for various categories like 'General', 'Student', 'Military', etc. There is a 'MILITARY AND OVERSEAS CITIZENS' section. At the bottom, there are signature lines for the voter and the election judge, along with a date field.

FPCA FEDERAL POST CARD APPLICATION

Voter Registration and Absentee Ballot Request
Federal Post Card Application (FPCA)

Classification: I am a U.S. citizen and a resident of the United States. I am a U.S. citizen and a resident of the United States, but I am currently serving in the Armed Forces of the United States. I am a U.S. citizen and a resident of the United States, but I am currently serving in the Armed Forces of the United States and I am currently serving in the Armed Forces of the United States.

Residence: I am a U.S. citizen and a resident of the United States. I am a U.S. citizen and a resident of the United States, but I am currently serving in the Armed Forces of the United States. I am a U.S. citizen and a resident of the United States, but I am currently serving in the Armed Forces of the United States and I am currently serving in the Armed Forces of the United States.

Legal name: Last name: First name: Middle name:

Identification: I am a U.S. citizen and a resident of the United States. I am a U.S. citizen and a resident of the United States, but I am currently serving in the Armed Forces of the United States. I am a U.S. citizen and a resident of the United States, but I am currently serving in the Armed Forces of the United States and I am currently serving in the Armed Forces of the United States.

Contact information: I am a U.S. citizen and a resident of the United States. I am a U.S. citizen and a resident of the United States, but I am currently serving in the Armed Forces of the United States. I am a U.S. citizen and a resident of the United States, but I am currently serving in the Armed Forces of the United States and I am currently serving in the Armed Forces of the United States.

Ballot request: I am a U.S. citizen and a resident of the United States. I am a U.S. citizen and a resident of the United States, but I am currently serving in the Armed Forces of the United States. I am a U.S. citizen and a resident of the United States, but I am currently serving in the Armed Forces of the United States and I am currently serving in the Armed Forces of the United States.

Signature:

Address:

City: State: Zip:

Approved by:

Approved:

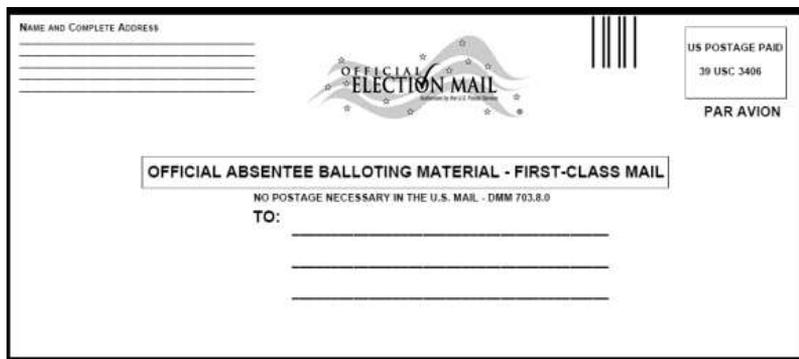
MAIL-IN ABSENTEE VOTING

- This process is used for any voter who wants to vote absentee through the mail.
- Application process:
 - Check voter registration list.
 - Is the application signed and completed?
 - Is the application notarized, or signed by an official authorized to administer oaths, or accompanied by a copy of a photo ID? This step is waived for overseas military or overseas citizen voters.
- Send the voter the correct ballot, instructions (ARSD 05:02:10:04) and return envelope (ARSD 05:02:10:05).
- Update absentee voter log (ARSD 05:02:10:06).



UOCAVA VOTERS

- Return envelope for those **military** (stateside or overseas) and **overseas citizen** voters (residing outside of the U.S.) must be in this format [\(05:02:10:08\)](#) which provides free postage for those voters to return their voted absentee ballot to you.
 - The postage is free if mailed in a U.S. postal system.
 - If mailed in a non-U.S. Postal system the voter will have to pay the postage.



ABSENTEE BALLOT LOG

- Keep an absentee ballot log – ([SDCL 12-19-2](#))
- This is a public record
- Contents prescribed in [05:02:10:06](#)
 - (1) Date of election and party designation if primary ballot;
 - (2) Name of voter;
 - (3) Current mailing address of voter;
 - (4) Voting precinct;
 - (5) Regular or UOCAVA voter;
 - (6) Date mailed to voter, given to authorized messenger, or voted in office;
 - (7) Name of authorized messenger;
 - (8) Date returned;
 - (9) Date application received;
 - (10) Email address if electronic transmission requested by UOCAVA voter (this is only for an election a county auditor runs, a local election does not have the option to transmit a ballot electronically through the state UOCAVA system); and
 - (11) Voter registration address.

OTHER ABSENTEE PROVISIONS

- Absentee application must be received by 5:00 p.m. the day before the election.
- One application may apply to all elections **per calendar year**.
 - If you receive an application for other elections make sure to share that with the other jurisdictions.
- A voter cannot use a Power of Attorney to sign the application for them. A voter has to make some sort of mark per **SDCL 2-14-2 (25)**.
 - An individual is allowed to attest to the mark by writing the voter's name and then the individual signs and prints their own name indicating they were a witness to the voter making a mark.
- If an absentee voter dies before Election Day, the ballot is not processed or counted.
- Inactive voters must complete a new registration form.
 - Have the voter fill out the form and mail it back separately from their ballot or else the ballot may not be counted.

AUTHORIZED MESSENGER

- Who can use an authorized messenger?
 - Only a qualified voter who is **confined** because of **sickness or disability**.
 - Work is not considered confinement. Employers are required under law to allow an employee up to 2 hours to be absent to vote (SDCL 12-3-5).
- Voter designates on the application for someone to bring them a ballot.
- If a nursing home requests that you bring ballots to the residents to vote absentee, you are **not allowed** to do so.
- A **candidate** for any elective office cannot be an authorized messenger (SDCL 12-19-7.1).
- No **authorized messenger** may, in the presence of the voter at or before the time of voting, display campaign posters, signs or other campaign materials or by any like means solicit any votes for or against any person, political party or position on a question submitted. A violation of this section is a Class 2 misdemeanor (SDCL 12-19-7.2).

ABSENTEE VOTING – ID REQUIREMENTS

- **In-person** absentee
 - Voter must show photo ID or complete personal ID affidavit.
- Absentee by **mail**
 - Absentee Ballot Application Form must be notarized or accompanied with a copy of their photo ID.
- **UOCAVA** (Military servicemen or spouse and overseas citizens or their spouse)
 - **Stateside** – Form must be **notarized** or accompanied with a **copy of their photo ID**.
 - **Overseas** – ID requirements are **waived**.
 - **Only UOCAVA** voters may submit their absentee request by **email or fax**.
 - **Cities and Schools** are **not** able to **send ballots** to UOCAVA voters **electronically**.

QUESTIONS?

PRECINCTS AND ELECTION BOARDS

- Municipal Precincts (SDCL 9-13-16):
 - Each ward is a precinct and does not have to be the same as for county elections.
 - If precinct had over 500 voters at the last election, then you may choose to split the precinct into two precincts.
 - If you have two contiguous precincts with less than 350 voters, then you may combine them.
 - Any changes to your precincts may have to be done via an ordinance change and that would have to take effect prior to your notice of election.
 - If you make any changes to your precincts notify your county auditor at least 45 days preceding your election (SDCL 12-14-1.1).
- If all wards use the same polling place, a single election board may be appointed (SDCL 9-13-36).
- If all wards are voting on an identical ballot, then a single ballot box and pollbook may be used (SDCL 9-13-36).



PRECINCTS AND ELECTION BOARDS

- School voting precincts and polling places are determined by the school board and do not have to be the same as those used for county elections (SDCL 13-7-11).
- Must notify county auditor of precinct changes at least 45 days before election (SDCL 12-14-1.1).

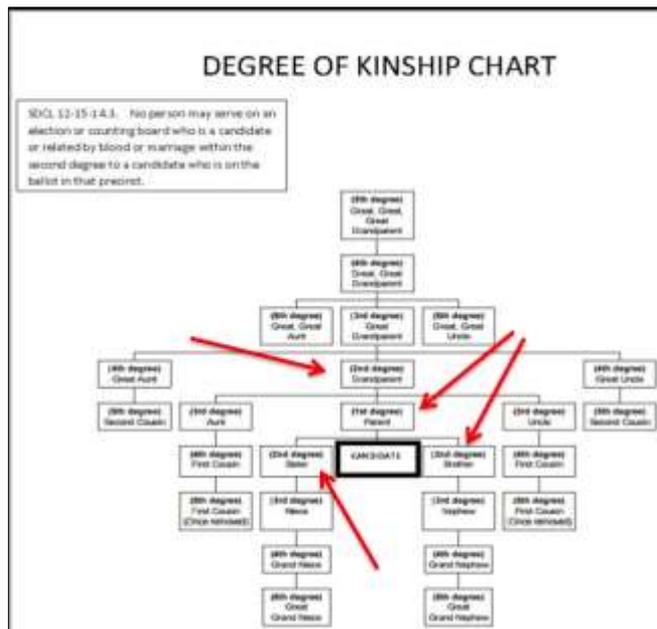


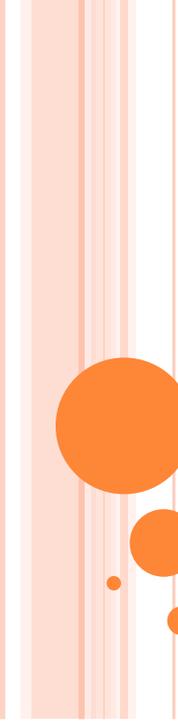
PRECINCTS AND ELECTION BOARDS

ELECTION BOARDS

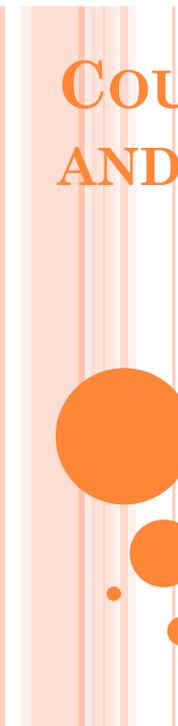
- SDCL 9-13-16.1 and 13-7-12
 - Appointed by the governing body. Notice of Appointment is ARSD 05:02:05:11.01.
 - Minimum of one superintendent and two precinct deputies.
 - Choose election board members whom you trust and who will do a good job. If possible, use board members who work for other elections and are experienced.
 - Members of School Boards may serve on election boards as long as they are not a candidate on the ballot or related within the second degree to a candidate on the ballot.
- Election board members must be a registered voter and resident of the precinct they will be working in (SDCL 12-15-12). You may go outside of the precinct if you've exhausted all options.
- May not be related within the second degree to a candidate on the ballot (SDCL 12-15-14.3).
- Election board members may not be poll watchers (SDCL 12-15-2.1).

DEGREE OF KINSHIP CHART





QUESTIONS?



COUNTING, CANVASSING AND RECOUNTING

PROVISIONAL BALLOTS

- Provisional ballots **ARE NOT** opened or counted on election night.
- If your ballots are counted at the polling place, all the provisional ballot envelopes must be placed unopened in the Provisional and Uncounted Absentee Ballot Return Envelope (**ARSD 5:02:16:44**) and returned to you. Keep them secure!
- The day after the election you must “diligently investigate” to determine if the voter was legally entitled to cast a ballot in that precinct.
- Use the information provided by the voter on the affirmation to begin your investigation. Ask the county auditor to assist you with this determination.



PROVISIONAL BALLOT ENVELOPE

You will use the information provided by the voter to assist you in determining if the provisional ballot will be counted or not.

R-113—Provisional ballot envelope. 5:02:05:23

Voter's Affirmation for a Provisional Ballot

My voter registration was completed on or about the following date and was left with the following person or agency for delivery to the county auditor: _____

My name is _____ I reside at _____

my mailing address is _____ my date of birth is _____

my SD driver license number is _____ my daytime telephone number is _____

and my evening telephone number is _____

if I do not have a South Dakota driver license the last four digits of my social security number are _____

I understand if the election authority determines that I am not registered in this precinct and therefore not eligible to vote in this precinct, my vote will not be counted. I further understand that my vote may not be counted if only one provisional ballot is cast in the precinct. I declare or affirm under penalty of perjury that I registered and am eligible to vote in this precinct.

Signature of Voter _____ Date _____

To be completed by a precinct election worker:

Precinct number _____ Type of ballot provided to voter _____

Signature of precinct worker _____

Source: 2010R 171, effective July 6, 2002; 2010R 214, effective July 6, 2006; 2010R 236, effective July 6, 2007; General Authority: SDCL 12-16-40; Law Enforced: SDCL 12-16-40.



Counting, Canvassing and Recounting

PROVISIONAL BALLOTS *cont'd*

- Determining which ballots should be counted.
 - Voter was registered in that precinct by deadline.
 - Identity has been verified.
 - Voter has not been removed from the voter list.
 - Voter is a resident.
- If you determine that there are provisional ballots which must be counted, a provisional ballot counting board is appointed (SDCL 12-20-13.1). Follow SDCL 12-15-1 for process to appoint the board.
- Provisional ballot counting board meets **one hour prior** to the **official canvass**.
- Provisional ballot counting board shall count the provisional ballots which you have certified as countable. The **board will complete** a Certification of Provisional Ballot Count (ARSD 5:02:17:13).
- Your canvassing board will add the tally from this certification to the tallies from the pollbooks.



COUNTING, CANVASSING AND RECOUNTING

PROVISIONAL BALLOT NOTIFICATION

- Within ten days after the official canvass, you must send each provisional voter a Notice of Provisional Ballot Determination. (ARSD 5:02:05:24)
 - The notice sent to the mailing address of a person who has cast a provisional ballot shall contain:
 - Voter's name;
 - Voter's mailing address;
 - Election at which the ballot was cast;
 - Whether the ballot was counted;
 - If the ballot was not counted, the reason why it was not counted; and
 - A telephone number for further information.

QUESTIONS?



COUNTING, CANVASSING AND RECOUNTING

OFFICIAL CANVASS

- Conducted by the governing body.
 - SDCL 12-20-46 states a candidate does not sit on the canvassing board but instead has a designee. Cities and Schools follow Title 12 when there is not a statute in their respective Title that covers a process (SDCL 12-1-1).
 - There could be a conflict of interest should a candidate sit on the canvassing board (SDCL 6-1-17).
 - Work with your attorney on whether candidates should sit on the canvassing board.
- Schools (SDCL 13-7-18):
 - Canvass occurs at the next board meeting.
 - Certify results to the county auditor (ARSD 05:02:07:04).
- Municipalities (SDCL 9-13-24):
 - Canvass must occur within seven days of election.

COUNTING, CANVASSING AND RECOUNTING

BOARD OF CANVASSERS

- The duties of the official board of canvassers for a local jurisdiction are as follows (ARSD 05:02:17:12):
 - Open the returns from each precinct which are found in each poll book;
 - Satisfy itself that the returns are genuine and not forged;
 - Tabulate the returns from the precincts and the certification of provisional ballot count;
 - Declare the result; and
 - Make an abstract (ARSD 05:02:17:11) of the results of the votes cast for each of the candidates and each of the issues. The abstract must be signed and certified by the canvassers under the seal of the business manager or finance officer of the local jurisdiction.
- There is no need to take the ballot box to the canvassing. They **DO NOT** open the ballot box or recount ballots.

COUNTING, CANVASSING AND RECOUNTING

CANDIDATE RECOUNTS

SDCL 9-13-27.2 and 27.3 and 13-7-19.1 and 19.2

- Purpose:
 - Used to recount the results for a specific municipal or school board candidate's race.
- Deadline to request a recount:
 - Within five days after official canvass for that office.
- Who requests:
 - A tied or losing candidate.
- A recount can be requested for the following reasons:
 - Municipal- if a race is tied, defeated by five votes or less or defeated by a margin not exceeding two percent.
 - School- if a race is tied or defeated by a margin not exceeding two percent
- File with:
 - Municipal finance officer or school business manager.



COUNTING, CANVASSING AND RECOUNTING

CANDIDATE RECOUNT BOARD

- Appointed by the person in charge of the election.
- One person chosen by each candidate declared elected.
- One person chosen by each candidate who is eligible to request a recount.
- If the board consists of an even number of persons, one additional recount board member shall be appointed who is mutually agreeable to each candidate involved in the recount.
- The person in charge of the election sets the time and place for the recount.



COUNTING, CANVASSING AND RECOUNTING

BALLOT QUESTION RECOUNTS

SDCL 9-13-27.4 and 13-7-19.3

- Purpose:
 - Used to recount the results for a ballot question.
- Deadline to file a petition for recount:
 - Within five days after official canvass for that question.
- Who petitions:
 - Any three registered voters of the municipality or school district.
- Required when:
 - Defeated by a margin not exceeding two percent.
- Petition:
 - ARSD 5:02:19:10
- File with:
 - Municipal finance officer or school business manager.



COUNTING, CANVASSING AND RECOUNTING

BALLOT QUESTION RECOUNT BOARD

- Appointed by the person in charge of the election and consists of one person on each side of the question and one person mutually agreed upon by the other two appointed.
- Person in charge of the election shall set the time and place for the recount.

QUESTIONS?



RECALLS

WHO CAN BE RECALLED?

- Only applies to **Municipalities**
- **SDCL 9-13-29**
- In any municipality, with or without a city manager
 - Mayor
 - Commissioner
 - Alderman
 - Any member of the board of trustees



RECALLS

GROUND FOR RECALL (**SDCL 9-13-30**)

- Misconduct
- Malfeasance
- Nonfeasance
- Crimes in office
- Drunkenness
- Gross incompetency
- Corruption
- Theft
- Oppression
- Gross partiality



RECALLS

PETITION FOR RECALL

- Signed by 15% of the registered voters of the municipality, based upon the total number of registered voters at the last preceding general election.
- Petition shall contain a specific statement of the grounds on which removal is sought.
- Petition form (ARSD 5:02:08:17)
- No signature is valid if signed more than 60 days prior to the filing of the petitions.
- New language added to SDCL 9-13-30: A challenge to the recall petition regarding the specific statement of the grounds of the recall petition must be filed in circuit court within five business days of the filing of the recall petition. The circuit court shall conduct an expedited declaratory judgment hearing with no right to trial by jury.

Questions?



SPECIAL ELECTIONS

Municipalities:

- Initiative
- Referendum
- Recall
- Bond – 60% to pass
- Change in form of government

Schools:

- School start date
- School consolidation/reorganization
- Bond – 60% to pass
- Tax levy opt out – held on or before October 1st
- Discontinue attendance center
- Some capital outlay certificates
- Implementation of a school sentinel program



SPECIAL ELECTIONS

- If the petition meets the requirements of [ARSD 5:02:08:00](#) and [5:02:08:00.01](#) the governing body needs to move forward and set the election date.
- Notices and Publications for Special Elections
 - Notice of Voter Registration Deadline.
 - Publication of facsimile ballot.
 - Notice of Election.
- Notices of Vacancy (for special municipal elections to fill vacancy).
- One year waiting period after election on form of city government to vote on the question again ([SDCL 9-11-8](#)).
- Tax levy opt out elections require a “NOTICE TO TAXPAYERS” publication ([SDCL 10-13-35](#) and [10-12-43](#)).
- Municipality required to publish the entire initiated or referred measure once a week for two successive weeks ([SDCL 9-20-4](#) and [9-20-12](#)).

QUESTIONS?

FINANCIAL INTEREST STATEMENTS

- Required for 1st Class Municipalities and Schools with greater than 2,000 average daily membership (ADM)
- There are two types:
 - **Candidate (SDCL 12-25-28)**
 - Filed within 15 days after filing nominating petition.
 - Appointed official would not need to fill this out.
 - **Elected Official (SDCL 3-1A-4)**
 - Filed within 15 days of being elected.
 - Appointed official would need to fill this out.
- Sample forms can be found at www.sdsos.gov
- These are filed with the person in charge of the election.



CANDIDATE
Statement of Financial Interest

Title (is): All candidates for State and Federal office (US Senate and House of Representatives, Governor, state court judges, the State Legislature and a Supreme Court Justice; SDCL 12-25-30); Convention nominees; Lieutenant Governor, State Treasurer, Attorney General, Secretary of State, State Auditor, Public Utilities Commissioner and Commissioners of Natural and Public Lands; SDCL 12-25-29; and candidates for Local Office (County Commissioner, School Board Member in a school district with a total enrollment of more than 2,000 students or Commissioner, Council Member or Mayor in 1st Class Municipalities; SDCL 12-25-30).

Deadline (is): Within 15 days after filing nominating petition (Supreme Court Justice file within 15 days of announcing Secretary of State of his intention to place his name on the retention ballot) or certification of convention nomination.

File with: The Secretary of State except local candidates file with the office where they file their nominating petition.

Please print:
Full Name _____
Complete Address _____
Office Sought (or District number if applicable) _____
What is your occupation/profession? _____

List any enterprise (any business or economic relationship) which accounted for more than 10% of or contributed more than \$2,000 to your family's (include spouse, minor children living at home) gross income in the preceding calendar year or an enterprise in which you or an immediate family member(s) owned more than 10% of the capital or stock. Identify who receives the income from such enterprise but do not include the value. (SDCL 12-25-27)

Name of Candidate or Family Member	Name of Enterprise	Enterprise Relationship (Is employee, officer, director, trustee, shareholder, partner, proprietor, etc.)

I declare under the penalties of perjury that the information above has been examined by me and to the best of my knowledge and belief is a true, correct and complete representation of my financial interests for the preceding calendar year.

(Signature) _____ (Date) _____

See section 12-25-27, 28.



ELECTED OFFICIAL
Statement of Financial Interest

This form: All Elected Officials for State office (Governor, Lieutenant Governor, State Treasurer, Attorney General, Secretary of State, State Auditor, Public Utilities Commissioner and Commissioner of Schools) and Public Lands, Supreme Court Justice, circuit court judge and State Legislator; TDCL 3-1A-2); Governmental appointee (for whom income certification is required, TDCL 3-1A-3); and Elected officials in Local Office (County Commissioner, School Board Member or a school district with a total enrollment of more than 2,000 students, or Commissioner, Council Member or Mayor in 1st Class Municipalities; TDCL 3-1A-4).

Deadline to file: Within 15 days after assuming office.

File with: The Secretary of State except local candidates file with the office where they file their oath of office.

Please print:

Full Name _____

Complete Address _____

Office (include district number if applicable) _____

What is your occupation/profession? _____

****If there are no changes from your previously filed CANDIDATE Financial Interest Statement check the box and sign and date below.**

NO Changes

List any enterprise (any business or agreement relationship) which accounted for more than 10% of or controlled more than \$2,000 of your family's (including spouse, minor children living at home) gross income in the preceding calendar year or an enterprise in which you or an immediate family member(s) owned more than 10% of the capital or stock. Identify the source of the income from each enterprise but do not include the value. (TDCL 3-1A)

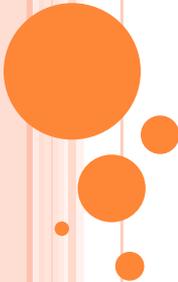
Name of Candidate or Family Member	Name of Enterprise	Enterprise Relationship (i.e. employee, officer, director, trustee, shareholder, partner, proprietor, etc.)

I declare under the penalties of perjury that the information above has been examined by me and to the best of my knowledge and belief is a true, correct and complete representation of my financial interests for the preceding calendar year.

(Signature) _____

(Date) _____

QUESTIONS?



CAMPAIGN FINANCE SDCL 12-27

WHO IS REQUIRED TO FILE?

- ONLY Ballot Question Committees in 1st Class Municipalities
- ONLY School district offices and ballot questions in school districts with ADM greater than 2,000.
- Any other municipality or school that has ordinances in place outlining the campaign finance laws they will follow.
- Sample forms and campaign finance information can be found at www.sdsos.gov
 - Statement of Organization for Local Jurisdictions
 - Disclosure Statement for Local Jurisdictions
 - Within this disclosure is suggested filing dates for reports

 **Statement of Organization - Local Jurisdictions**
SDCL 12-27.4

The Treasurer for a political action or ballot question committee shall file a statement of organization not later than 15 days after the date upon which the committee made contributions, received contributions, or had expenses in excess of \$100.00. However, if such activity falls within 30 days of any statewide election, the statement of organization shall be filed within 45 days. A candidate shall file a statement of organization for a candidate campaign committee not later than 15 days after becoming a candidate (SDCL 12-27.5, 12-27.6)

Contact your local election official to make sure this is the required form they want you to use.

These local jurisdictions that are required to file campaign finance documents (SDCL 12-27.4):

- County offices and ballot questions in counties with population greater than five thousand
- Ballot questions in first class municipalities
- School district offices and ballot questions in school districts with more than two thousand average daily membership

Committee Type See local chart only

County Candidate Committee County Political Action Committee (PAC) County Ballot Question Committee
 Municipal Candidate Committee Municipal Political Action Committee (PAC) Municipal Ballot Question Committee
 School Board Candidate Committee School District Political Action Committee (PAC)
 School District Ballot Question Committee

Committee Information
(All fields required unless indicated otherwise, please print)

→ only ONE candidate campaign committee may be organized for each candidate (SDCL 12-27.7, 12-27.8) ←

Full Name of Committee: _____
If you are a Candidate, list your name below as it appears on your nominating petition and the office you are seeking:

Street Address: _____ City: _____ State: _____ Zip: _____
Postal Address: _____ City: _____ State: _____ Zip: _____
Committee website address (optional): _____

Chair (Candidate can serve as Chair of their Committee)
(first and last name) _____
Daytime Phone Number: _____ Evening Phone Number: _____
Street Address: _____ City: _____ State: _____ Zip: _____
Postal Address: _____ City: _____ State: _____ Zip: _____
Email Address: _____

Check this box if Chair is also serving as Treasurer. If the case, you are not required to fill out Treasurer field below.

*The Treasurer is responsible for filing all campaign finance reports and forms.

Treasurer (first and last name) _____
Daytime Phone Number: _____ Evening Phone Number: _____
Street Address: _____ City: _____ State: _____ Zip: _____
Postal Address: _____ City: _____ State: _____ Zip: _____
Email Address: _____
Actual Rev. 11/2011



Local Jurisdictions
Campaign Finance Disclosure Statement
SDCL 12-27

This statement is filed with your local election official. Contact them for additional information or if you need assistance with filing this disclosure.

These local jurisdictions that are required to file campaign finance documents: [\(12-27-39\)](#)

- County offices and ballot questions in counties with population greater than five thousand
- Ballot questions in first class municipalities
- School board positions and ballot questions in school districts with more than two thousand average daily membership

Committee Information (required) (please print)

Full Name of Committee _____

If you are a Candidate, list name as it appears on your nominating petition and what office you are seeking _____

Type of Committee _____

Street Address _____ City _____ State _____ Zip _____

Postal Address _____ City _____ State _____ Zip _____

Treasurer Daytime Phone Number _____

Treasurer Evening Phone Number _____

Treasurer Email Address _____

If you are a Ballot Question Committee, indicate which measure the committee was involved with during the reporting period and whether the measure was supported or opposed.

Ballot Measure Number (if has been accepted): _____ Support Oppose

Choose the Type of Campaign Statement you are filing on page two.

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Type of Campaign Statement (you must select one)

COUNTY candidates select one of these reports:

- Pre-Primary:** Filed by the 2nd Friday prior to the Primary. The reporting period is from January 1 through the Monday before the deadline.
- Post-Primary (non-candidate):** Filed by the 2nd Friday of August after the Primary. The reporting period would be from the last report filed to the deadline date.
- Pre-General:** Filed by the 2nd Friday prior to the General. The reporting period would be from the last report filed through 15 days prior to the General Election.
- Year-End:** Filed by the 1st Monday in February. The reporting period would from the last report filed through December 31.
- Termination of Committee:** Filed whenever you choose. The reporting period is from the last report filed to the date you are terminating. The balance has to be paid in full and you must report all expenditures and receipts and pay off all outstanding loans, debt and obligations since your last filed report.

COUNTY SPECIAL elections and LOCAL JURISDICTION elections
select one of these reports:

- Pre-Election report:** Filed by the 2nd Friday prior to the election date. The reporting period is from the Demand of Organization date through the 15th day prior to the election.
- Year-End report:** Filed by the 1st Monday in February of the year following the election. The reporting period is from the last filing date to December 31. If you terminate prior to December 31, you do not need to file a Year-End.
- Termination report:** Filed whenever you choose. The reporting period is from the last report filed to the date you are terminating. The balance has to be paid in full and you must report all expenditures and receipts and pay off all outstanding loans, debt and obligations since your last filed report.

You may also select one of the reports below in combination with a report above:
= Amendment (for most recent report filed) = Termination of Committee

The following verification must be signed by the Treasurer before submitting the report [\(SDCL 12-27-39\)](#)

I, _____ (print name legibly), certify that I have examined this report and to the best of my knowledge and belief it is true, correct and complete. I also understand that failure to comply with any provision, requirement, or correction required subjects the Treasurer responsible for filing to a civil penalty of \$500 per day for each day that the statement remains delinquent [\(SDCL 12-27-39\)](#). The civil penalty shall be in addition to any criminal sanctions.

Date: _____
Signature of Treasurer _____

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CAMPAIGN FINANCE

ADVERTISING DISCLAIMER

- Only those committees in those jurisdictions that have to comply with campaign finance have to use a disclaimer
- The disclaimer must be on printed material or communication made by a political committee or political party.
- "Paid for by (Name of candidate, political committee, or political party)."
- Small impractical items are exempt.
 - Buttons, balloons, pins, pens, matchbooks, clothing, etc.

CAMPAIGN FINANCE

GOVERNMENT RESTRICTIONS

- A city or school may not spend public funds for the purpose of influencing an election ([SDCL 12-27-20](#)).
- No candidate, political committee, or political party may accept any contribution from any state, state agency, political subdivision of the state, foreign government, Indian tribe, federal agency, or the federal government ([SDCL 12-27-21](#)).

WHO IS RESPONSIBLE FOR ENFORCING CAMPAIGN FINANCE LAWS?

- State's Attorney ([SDCL 12-27-40](#))

QUESTIONS?

AUTOMATED TABULATING SYSTEMS

Have a backup plan!

- ARSD 5:02:09:01.02
 - Requires testing of the system twice.
 - Notice before each test.
- Create your own “prior” tally sheet and test deck.

WHEN THE POLLS CLOSE:

- Do not open ballot box.
- Complete recap sheet. (ARSD 5:02:09:15)
 - If ballot count from recap does not match voters in the pollbook, justify pollbook and registration list.
- Two precinct board members transport ballot box.

RECAPITULATION SHEET

1. Official Ballots Received from Supplier _____

2. Additional Ballots Received During the Day _____

3. Absentee Ballots Received _____

4. Total Ballots Received (sum lines 1, 2 and 3) _____ **Line 4 Total**

5. Ballots Sorted _____

6. Ballots Unsorted at End of the Day _____

7. Absentee Ballots Not Opened _____

8. Total (sum lines 5, 6 and 7) _____ **Line 8 Total**

9. Ballots (sum Line 4 minus Line 8) _____ **Line 9 Total**

10. Provisional Ballots Sorted _____

11. Ballots To Be Counted (sum 9 minus Line 10) _____

12. Enter Number of votes from Pollbook for the Type of Ballot
 If Line 9 and 11 are not the same, compare the values in the pollbook with the registration list and correct any mistakes.

Signed: _____
 Precinct Official

PLACE INDESBALLOT BOX ON TRANSFER CASE WITH VOTES/BALLOTS

Overseer(s) noted by inspection board _____
 OR in case of blank is a different date than above

Signed: _____
 Precinct Board

Printer's note: In central count optical scan precincts, lines 10 and 11 may be completed by tabulation center employees. The printed form may be changed to reflect this option.

AUTOMATED TABULATING SYSTEMS

TABULATION CENTER (County Auditor's office)

- Procedures can be found in **SDCL 12-17B-10** through **12-17B-13** and in **ARSD 5:02:09:04.04**.
- Make sure the counter is set to **SORT OUT** blank ballots.
- Make sure the counter is set to **NOT SORT** overvoted ballots.

AUTOMATED TABULATING SYSTEMS

BALLOTS

- Ballot count:
 - Compare number of ballots from machine count with number of ballots on recap sheet.
 - If discrepancy, note on recap sheet, signed by tabulation technician and notify resolution board.
 - If there are five or more ballots than names in the pollbook, the resolution board shall examine each ballot for the official ballot stamp.
 - Unstamped ballots are removed and marked “unstamped – not counted”.
 - If the total number of ballots still exceeds the number of names in the pollbook, ballots equal to the excess number shall be randomly pulled and not counted.
 - Retabulate the ballots.

AUTOMATED TABULATING SYSTEMS

RESOLUTION BOARD

- For Primary and General election – one Republican and one Democrat.
- For other elections – two persons who are not employees of your jurisdiction.
- Duties:
 - Any ballot which cannot be counted by the machine shall be examined by the Board – this would include “blank” ballots which are out sorted.
 - If any of these ballots are actual blank ballots, reset the machine to accept the blank ballots and run them through.
 - If the board cannot agree on the voter’s intent, the ballot is rejected and so marked.
 - If the Board agrees on the voter’s intent, a duplicate ballot shall be made by the Board.
 - Duplicate shall be marked “Duplicate” and “Official Resolution Ballot”.
 - Identical serial numbers shall be place on the duplicate and on the original.
 - Duplicate shall be counted by the tabulating equipment.

AUTOMATED TABULATING SYSTEMS

VOTER INTENT

- “A mark that touches the oval on an optical scan ballot shall be counted as a vote; any mark that does not touch the oval and is not in the oval may not be counted as a vote.”
- (ARSD 5:02:09:22)
- After the vote count:
 - Place ballots in boxes and reseal.
 - Remove program boards and store sealed.
- Recounts are conducted according to ARSD 5:02:09:05.

Questions?

