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S.D. SEC. OF STATE

REPRESENTATIVE STEVEN G. HAUGAARD, CHAIR | SENATOR BROCK L. GREENFIELD, VICE CHAIR
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June 21, 2019

Mr. Dan Ahlers
913 N. Washington Ave.
Dell Rapids, SD 57022

Dear Mr. Ahlers:

This office is required to review each initiated constitutional amendment to determine whether it is written in a clear and coherent manner in the style and form of other parts of the Constitution and worded so that the effect of the amendment is not misleading or likely to cause confusion among voters in accordance with SDCL 12-13-24. Further, in accordance with SDCL 12-13-25, this office is required to provide written comments to assist the amendment's sponsor in complying with SDCL 12-13-24, including assistance regarding the substantive content of the amendment to minimize any conflict with existing law and ensure the amendment's effective administration. You are under no obligation to accept any of the suggestions contained in this letter, but please keep in mind the legal standards established in SDCL 12-13-24 and 12-13-25.

Attached is a copy of your proposed constitutional amendment with our suggested changes in red. As we discussed with you, these edits include prioritizing the criteria in the fourth paragraph in order to ensure the amendment's effective administration. Doing so will aid the commission in reconciling these competing priorities and provide clarity to the judiciary in the event of any challenge to a commission-approved reapportionment plan. If you have any questions regarding our suggested changes, please feel free to contact us.

It has been determined during this review that this proposed constitutional amendment may have an impact on revenues, expenditures, or fiscal liability of the state and its agencies and political subdivisions. Please provide the Legislative Research Council a copy of the amendment as submitted in final form to the Attorney General, so we can develop any fiscal note required by SDCL 2-9-30.

This letter constitutes neither an endorsement of your initiated constitutional amendment nor a guarantee of its sufficiency. It does constitute fulfillment of your responsibility pursuant to SDCL 12-13-25 to submit your draft to this office for review and comment. If you proceed with your proposed amendment, please take care to ensure that your statements or advertising do not imply that this office endorses or approves your proposal.

Sincerely,

A handwritten signature in blue ink that reads "Jason Hancock". The signature is written in a cursive style.

Jason Hancock
Director

JH/DO/ct
Enclosures

CC: The Honorable Steve Barnett, Secretary of State
The Honorable Jason Ravensborg, Attorney General