



2017 MUNICIPAL AND SCHOOL ELECTION WORKSHOP

Sponsored by

Secretary of State Shantel Krebs

South Dakota Municipal League

Associated School Boards of South Dakota

CONTACT INFORMATION-

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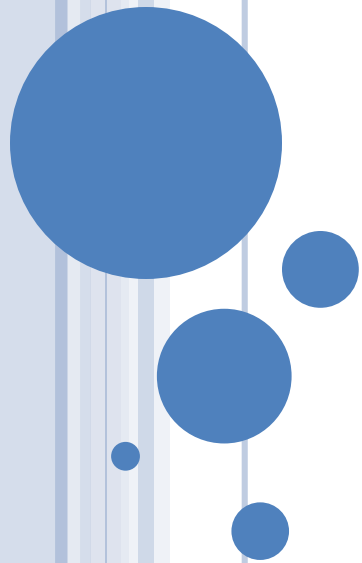


Contact Information

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CANDIDATE ELIGIBILITY REQUIREMENTS



CANDIDATE ELIGIBILITY REQUIREMENTS

MUNICIPALITIES

- Must have resided in the municipality for 3 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 of defaulter 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

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

Petitions forms were 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). SDCL 9-13-7 and 13-7-6.
- **CANDIDATES** need to plan ahead on who will notarize their 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.

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, nominate _____ 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 alderman candidate, I declare that I reside and am registered to vote in Ward _____.

(Signed) _____

Sworn to before me this ____ day of _____, ____.

(Seal)

Signature of Officer Administering Oath

My Commission Expires _____

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. Ditto marks may not be used.

5. Failure to provide all information requested may invalidate the signature.

NAME	RESIDENCE	DATE/COUNTY
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
1 _____ PRINT	_____ CITY OR TOWN	_____ COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
2 _____ PRINT	_____ CITY OR TOWN	_____ COUNTY OF REGISTRATION



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

My Commission Expires _____

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. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

NAME	RESIDENCE	DATE/COUNTY
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
1 _____ PRINT	_____ CITY OR TOWN	_____ COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
2 _____	_____	_____



13 _____ PRINT	_____ CITY OR TOWN	_____ COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
14 _____ PRINT	_____ CITY OR TOWN	_____ COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
15 _____ PRINT	_____ CITY OR TOWN	_____ COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
16 _____ PRINT	_____ CITY OR TOWN	_____ COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
17 _____ PRINT	_____ CITY OR TOWN	_____ COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
18 _____ PRINT	_____ CITY OR TOWN	_____ COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
19 _____ PRINT	_____ CITY OR TOWN	_____ COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
20 _____ PRINT	_____ CITY OR TOWN	_____ COUNTY OF REGISTRATION

VERIFICATION BY PERSON CIRCULATING PETITION

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

Print name of the circulator	Residence Address	City	State
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I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, 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 _____ day of _____, 20____.
(Seal)

My Commission Expires _____

Signature of Circulator

Signature of Officer Administering Oath

Title of Officer Administering Oath



PETITIONS

SIGNATURE REQUIREMENTS

INACTIVE AND ACTIVE VOTERS MAY SIGN PETITIONS (SDCL 12-4-34).

○ 1st and 2nd class municipalities (SDCL 9-13-9):

- At large candidates: Signed by 5% of the registered voters of the municipality based on the number of registered voters recorded by the county auditor on the **second Tuesday in January of the year of the election.**
- Ward candidates: 5% of registered voters of a ward based on the number of registered voters the ward recorded by the county auditor on **the second Tuesday in January of the year of the election.**
- Contact your county Auditor for the number of registered voters.
- No petition needs to be signed by more than 50 voters.
- Voter can only sign as many petitions as there are positions.

PETITIONS – Signature Requirements *cont'd*

- **3rd class municipalities (SDCL 9-13-9):**
 - At large and Ward: shall be signed by not less than three registered voters of the municipality
 - Voter can sign more than one petition.
- **School board candidate petitions (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.
- Check to make sure the Candidate is registered in the right jurisdiction, representation area and/or ward they are running in.
- 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;



PETITIONS

GUIDELINES FOR ACCEPTANCE

- 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;
- 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



PETITIONS

Guidelines for Acceptance

- 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
- If you do not remember your username and password contact us and we will get that to you.
- If there are additional staff you want usernames and passwords for 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.**
- Let's take a look at the look up site.



PETITIONS

GUIDELINES FOR COUNTING SIGNATURES

- Follow [ARSD 5:02:08:00.01](#).
- **No signature on a petition sheet may be counted** if one of the following conditions is present:
 - 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*



PETITIONS

GUIDELINES FOR COUNTING SIGNATURES

- 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

- An **individual signature on a petition sheet may not be counted** if one of the following conditions is present:
 - 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;

PETITIONS

GUIDELINES FOR COUNTING SIGNATURES

- 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.



CANDIDATE NOMINATING PETITION REQUIREMENTS CHECKLIST	
Form	Petition sheet must be a single, self-contained sheet of paper printed front and back side (not glued, stapled, or taped etc.).
	Must be in the exact format as prescribed in Administrative Rule (5:02:08) - the candidate nominating petition can have 20 signature lines on letter size sheet of paper or 30 signature lines on legal size sheet of paper (these are suggestions and how we have created petitions to be downloaded).
	Header matches prescribed format.
	Instructions to Voters must be included.
	Signature lines are numbered in order.
	A candidate can complete the declaration of candidacy and have his/her signature notarized and then prior to collecting any signatures he/she can make photocopies of that petition sheet to circulate. NOTE: You must receive a petition with an original signature on the declaration in order to count any signatures on the photocopied petition sheets. You CANNOT count any petition sheets that have photocopied voter signatures lines on them.
	Verification of Circulator section must be included.
	If the petition is not in the format prescribed by administrative rule, that petition sheet is thrown out.
Circulator	Circulator must print their name otherwise petition sheet is thrown out.
	Circulator must sign their name otherwise petition sheet is thrown out.
	Circulator must be a South Dakota resident and list an in-state, residential address (NO PO BOX OR OUT OF STATE ADDRESS IS ALLOWED) otherwise petition sheet is thrown out.
	Circulator CANNOT be the notary for the circulator's verification otherwise petition sheet is thrown out.
	Only one circulator may sign otherwise petition sheet is thrown out.
	Circulator CAN be a signer on the petition.
	Circulator is allowed to fill in all of a signer's information on a signature line <u>except</u> for the voter's signature.
	If at the time of submission and if the filing deadline has not passed, you find that there is missing information on the petition; the person in charge of the election needs to allow the circulator to add the missing information (circulator cannot add the voter's signature).
Notary	If missing info from circulator's verification can be found elsewhere on the petition then that is acceptable (ex. Circulator does not list his/her residence address in the circulator verification section, but the circulator is also the candidate and you can find his/her residence address in the candidate declaration section of the petition).
	On the Declaration of Candidacy, must be a South Dakota Notary otherwise petition sheet is thrown out.
	Notary Seal or Imprint must be on petition otherwise the petition sheet is thrown out (if County Auditor, Municipal Finance Officer or School Business Manager - they can use their jurisdiction seal but that is not required).
	Notary must sign otherwise petition sheet is thrown out.
	Date of notarization must be fully complete including day/month/year or petition sheet is thrown out.
	Notary's full expiration date must be listed including day/month/year otherwise petition sheet is thrown out (if County Auditor, Municipal Finance Officer or School Business Manager - they do not need to list an expiration date).
	Notary CANNOT notarize the circulator's verification and sign petition otherwise signature line is thrown out (SDCL 18-1-12.2). Notary CANNOT be the candidate otherwise petition sheet is thrown out (SDCL 12-6-8).
	Notary must verify AFTER circulator signed and dated, otherwise petition sheet is thrown out.
	The title of person administering the oath is not required.



Signatures	If the date of signature of voter is before the date the candidate signed the declaration of candidacy the signature line is invalid.
	Date of voter's signature must be on or before the notary signs the petition
	Date includes Month, Date (Can be spelled out or numerical, the year is not required)
	Date of voter's signature must be on or after the voter's registration date
	All six boxes on each signature line must be completed
	Ditto marks are not allowed
	Signers printed name must be legible and they can sign how they usually sign - DOES NOT need to match his/her voter registration record
	Signer's address DOES NOT need to match the address listed in their voter registration record
	On the signature line, the County of voter registration must match the county listed in their voter registration record.
	Both active and inactive voters can sign petitions
	The petition must meet the signature requirements for the office the candidate is running for. You only need to validate signatures up to the number required and then you can stop. You do not need to verify extra signatures above the required number.
	If the voter lives in a 1st class municipality, he/she must list a residential address (no PO Boxes are allowed). 1st Class Municipalities are: Aberdeen, Belle Fourche, Box Elder, Brandon, Brookings, Harrisburg, Huron, Madison, Mitchell, Pierre, Rapid City, Sioux Falls, Spearfish, Sturgis, Vermillion, Watertown, and Yankton.
Acceptable	If voter signed in the printed box and printed in the signed box (same with the other boxes – if they are mixed up but all the information is there) you accept that signature line.
	Common abbreviation marks are acceptable.
	Name of a well-known building is acceptable (ex: Golden Living Nursing Home).
	If signature lines are skipped you still count the other signature lines that meet all of the qualifications included in this checklist.
	Description of residence location if the person does not have an address (ex: 7 miles West on Grey Goose Road, brown house across the street from the red barn) is acceptable.
Additional Notes	If a voter contacts you and wants his/her name removed from the petition, the only way for that to be removed is for the voter to contact the circulator on that petition and request his/her name be removed. The circulator is not required to remove the signature. This has to be done prior to the petitions being submitted to you.
	Petition sheets are public documents but only after you have validated the signatures and either filed or rejected the petition. Any individual can request a copy of the petition form once the validation process is completed and you will charge your normal copy fee.
	If you receive a petition that does not look like it is in the proper form and/or you have other questions, please call or email our office or talk with your city attorney.



NOMINATING PETITION FOR PARTISAN ELECTION REPUBLICAN PARTY

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 Legislative District 10 of South Dakota and members of the Republican Party, nominate Gene G. Abdallah, of Lincoln County, South Dakota, whose mailing address is 4908 S Glenview Road, Sioux Falls, SD 57108, as a candidate for the office of State Senate, District 10 at the Primary Election to be held June 4, 2002.

DECLARATION OF CANDIDATE

I, Gene G. Abdallah (print name here exactly as you want it on the election ballot), under oath, declare that I am eligible to seek the office for which I am a candidate, that I am registered to vote as a member of the Republican Party, and that if I am a legislative candidate I reside in the district from which I am a candidate. If nominated and elected, I will qualify and serve in that office.

(Signed)

Gene G. Abdallah

Sworn to before me this 5th day of February, 2002.

(Seal)

My Commission Expires September 17, 2007.

Signature of Officer Administering Oath

Notary Public

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 of 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 of 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. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

NAME		RESIDENCE	DATE/COUNTY
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
1	<i>Y. Hoi</i>	<i>Harrisburg SD 57037</i>	<i>Lincoln</i>
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
9	<i>Norman P. Grogan</i>	<i>26969 480th Ave</i>	<i>2-26-02</i>
PRINT	<i>Norman Grogan</i>	CITY OR TOWN	COUNTY OF REGISTRATION
		<i>Sioux Falls SD</i>	<i>Lincoln</i>
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
10	<i>Jack Phillips</i>	<i>116 SW Kearney St</i>	<i>2-28-02</i>
PRINT	<i>JACK PHILLIPS</i>	CITY OR TOWN	COUNTY OF REGISTRATION
		<i>Sioux Falls SD 57108</i>	<i>Lincoln</i>
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
11	<i>Samuel</i>	<i>505W Southview Pl</i>	<i>2-28-02</i>
PRINT	<i>Red Sorrell</i>	CITY OR TOWN	COUNTY OF REGISTRATION
		<i>Sioux Falls S.D</i>	<i>Lincoln</i>
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
12	<i>A Russell Gaulton</i>	<i>4821 Sunflower Trail</i>	<i>2-28-02</i>
PRINT	<i>A. Russell Gaulton</i>	CITY OR TOWN	COUNTY OF REGISTRATION
		<i>Sioux Falls, S.D. 57108</i>	<i>Lincoln</i>
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
13	<i>Ken Berner</i>	<i>101 Dakota</i>	<i>2/28/02</i>
PRINT	<i>KEN BERNER</i>	CITY OR TOWN	COUNTY OF REGISTRATION
		<i>Valley Springs, SD</i>	<i>Meade</i>

RECEIVED

MAR 12 2002

STATE OF SOUTH DAKOTA

29

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** 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 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

2

day of

Nov

2015

Signature of Circulator

Signature of Officer Administering Oath

Title of Officer Administering Oath

My Commission Expires

12/10/19

Form Revised 2008-08-09

<p>SIGN 19 PRINT</p> <p>Lauren Pommer J. J.</p>	<p>STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 2201 W 46th CITY OR TOWN SF SD 57105</p>	<p>DATE OF SIGNING 5-18-15 COUNTY OF REGISTRATION Minnehaha</p>
<p>SIGN 20 PRINT</p> <p>Barbara Littel Barbara Littel</p>	<p>STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 208 Sunset Cir CITY OR TOWN Bell Rapids</p>	<p>DATE OF SIGNING 5-18-15 COUNTY OF REGISTRATION Minnehaha</p>

VERIFICATION BY PERSON CIRCULATING PETITION

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

Print name of the circulator

Residence Address

City

State

Lucy-George Cooper

1201 S 3rd Ave

Sox Falls

SD

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 District 3 (insert the director area the candidate is to represent) of the Central Plains Water Development District, nominate Greg Lorenz of Sully County, State of South Dakota, whose mailing address is Box 81, South Dakota 57564, as a candidate for the office of director, representing Central Plains (insert the director area the candidate is to represent) of the Central Plains Water Development District for a 4 year term, in the primary held on June 7, 2016.

RECEIVED
APR 14 2016

DECLARATION OF CANDIDATE

I, Greg Lorenz (print name here exactly as you want it on the election ballot) do hereby swear and 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 a candidate. If nominated and elected, I will qualify and serve in that office.

Sworn to before me this 8th day of April, 2016. (Signed)

(Seal)
Seal of the County Auditor
Sully County, South Dakota
My Commission Expires
No Commission

end of term

Susan B. Lamb

Susan B. Lamb

Signature of Officer Administering Oath

Auditor

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. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

NAME	RESIDENCE	DATE/COUNTY
SIGN <u>Roxy Marshall</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>PO Box 21</u>	DATE OF SIGNING <u>4-4-16</u>
PRINT <u>Roxy Marshall</u>	CITY OR TOWN <u>Onida, SD 57564</u>	COUNTY OF REGISTRATION <u>Sully</u>
SIGN <u>Deann Rausch</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>PO Box 271 801 Cedar Ave</u>	DATE OF SIGNING <u>4-4-16</u>
PRINT <u>Deann Rausch</u>	CITY OR TOWN <u>Onida</u>	COUNTY OF REGISTRATION <u>Sully</u>
SIGN <u>Ernie Unruh</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>31095 185th St</u>	DATE OF SIGNING <u>4-4-16</u>
PRINT <u>Ernie Unruh</u>	CITY OR TOWN <u>Onida, SD</u>	COUNTY OF REGISTRATION <u>Sully</u>
SIGN <u>Dean Unruh</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>1018 9th St</u>	DATE OF SIGNING <u>4-4-16</u>
PRINT <u>Dean Unruh</u>	CITY OR TOWN <u>Onida S.D.</u>	COUNTY OF REGISTRATION <u>Sully</u>
SIGN <u>Todd Frank</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>Onida SD</u>	DATE OF SIGNING <u>4-4-16</u>

NAME		RESIDENCE	DATE/COUNTY
SIGN 14 PRINT	<i>[Signature]</i> Les Korse	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 1716 S Aberdeen Cir CITY OR TOWN SIOUX FALLS SD 57106	DATE OF SIGNING 4/27/09 COUNTY OF REGISTRATION Minnehaha
SIGN PRINT	<i>[Signature]</i> Brian Bissel	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 2126 S Dakota CITY OR TOWN SIOUX FALLS SD 57105	DATE OF SIGNING 4/28/09 COUNTY OF REGISTRATION
SIGN 16 PRINT	<i>[Signature]</i> Casey Borgstrom Casey Borgstrom	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 304 N. Hiwanis Ave Apt 301 CITY OR TOWN	DATE OF SIGNING 4-28-09 COUNTY OF REGISTRATION

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 ; ID - Drivers License *[Signature]*
Signature of Circulator

Sworn to before me this 16 day of June 2009.
(Seal)

My Commission Expires 1-31-12
Form Revised 2007 - 5:02:08:08
[Signature]
PAMELA M. RICE
NOTARY PUBLIC MINNESOTA
My Commission Expires 01-31-2012
Signature of Officer Administering Oath
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 Ron Globke 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 .

RECEIVED

DECLARATION OF CANDIDATE

I, Ron E Globke (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 seek the office for which I am a candidate. If nominated and elected, I will qualify and serve in that office.

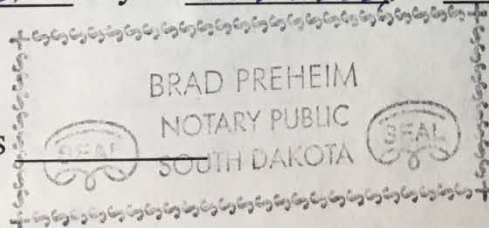
(Signed) 

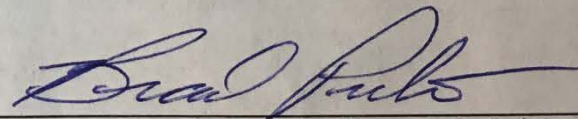
Sworn to before me this 20 day of January 2016.

(Seal)

My Commission Expires

6-3-16





Signature of Officer Administering Oath

Notary Public

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

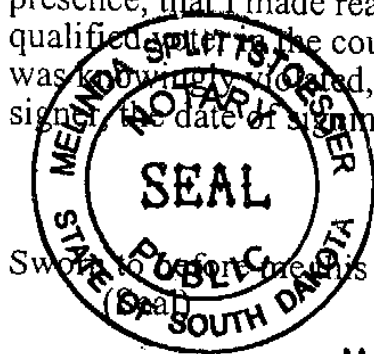
3	SIGN <u>KRISTIN MATTSO</u> PRINT <u>Kristin Matts</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>3440 Cornell</u> CITY OR TOWN <u>R R SD</u>	DATE OF SIGNING <u>4/11/09</u> COUNTY OF REGISTRATION <u>Remi</u>
4	SIGN <u>CRAY E. MATTSO</u> PRINT <u>CRAY E. MATTSO</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>DITTO</u> CITY OR TOWN <u>DITTO</u>	DATE OF SIGNING <u>4/11/09</u> COUNTY OF REGISTRATION <u>Remi</u>
5	SIGN <u>CHRIS SISKKA</u> PRINT <u>CHRIS SISKKA</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>3721 SCANDIPITY LANE</u> CITY OR TOWN <u>Rapid City SD</u>	DATE OF SIGNING <u>4-11-09</u> COUNTY OF REGISTRATION <u>PENN</u>

VERIFICATION BY PERSON CIRCULATING PETITION

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

Print name of the circulator Peggy Clarke Residence Address 1010 East Pet #71 City Rapid 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 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 28 day of MAY, 09.

My Commission Expires February 12, 2015

Form Revised 2007 - 5:02:08:08

Signature of Circulator Peggy Clarke

Signature of Officer Administering Oath

Title of Officer Administering Oath

VERIFICATION BY PERSON CIRCULATING PETITION

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

Print name of the circulator

KELLE COTTEN 2802 W. RAPID ST. RAPID CITY SD 57702

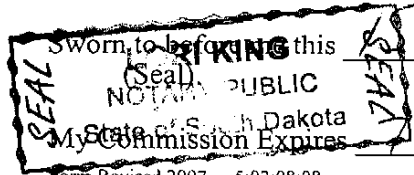
Residence Address

City

State

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



day of

June
12-13

Signature of Officer Administering Oath

Title of Officer Administering Oath

VERIFICATION BY PERSON CIRCULATING PETITION

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

Print name of the circulator

BOYD GILLEGAN 507 STATE AVE Estelline SD

Residence Address

City

State

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
(Seal)

4 day of May, 2009

My Commission Expires

Signature of Officer Administering Oath

Title of Officer Administering Oath

SIGN 7 PRINT <i>Orville Roberts</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <i>615 6th St NE</i>	CITY OR TOWN <i>Watertown, SD</i>	DATE OF SIGNING <i>4-14-09</i>
SIGN 8 PRINT <i>Audrey Luker</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <i>1625 Northridge Dr, #312</i>	CITY OR TOWN <i>Watertown, SD</i>	DATE OF SIGNING <i>4-14-09</i>
SIGN 9 PRINT <i>Vern Luker</i> VERN LUKER	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <i>1625 Northridge Dr #312</i>	CITY OR TOWN WATERTOWN, SD	DATE OF SIGNING <i>4-14-09</i>
SIGN 10 PRINT <i>Paul Luker</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	CITY OR TOWN	DATE OF SIGNING

VERIFICATION BY PERSON CIRCULATING PETITION

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

Paul Luker, *550 Summit Ave NW*, *Watertown SD*

Print name of the circulator Residence Address City State

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.

Paul Luker
Signature of Circulator

Sworn to before me this *16* day of *April*, *2009*.
(Seal)

My Commission Expires *8/13/09*

Form Revised 2007 - 5:02:08:08

Audrey Luker
Signature of Officer Administering Oath
Notary
Title of Officer Administering Oath

VERIFICATION BY PERSON CIRCULATING PETITION

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

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

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 _____

Form Revised 2007 - 5:02:08:08

Signature of Officer Administering Oath

Title of Officer Administering Oath

VERIFICATION BY PERSON CIRCULATING PETITION

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

Frieda Ten Fingers HC66 23B HC66 23B Chadron NE 6937
Print name of the circulator Residence Address City State

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.

Frieda Ten Fingers
Signature of Circulator

Sworn to before me this 1st day of October, 2015.

(Seal) FRANCES ANN CASEY
NOTARY PUBLIC
SOUTH DAKOTA
My Commission Expires 2-22-2019

Form Revised 2010 - 5:02:08:09

Frances Ann Casey
Signature of Officer Administering Oath

South Dakota Notary
Title of Officer Administering Oath

NAME		RESIDENCE	DATE/COUNTY
SIGN 14 PRINT	<i>Jennifer Slate</i> Jennifer Slate	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 118 Currie St CITY OR TOWN Yankton, SD 57078	DATE OF SIGNING 7/27/15 COUNTY OF REGISTRATION Yankton
SIGN 15 PRINT	<i>Tom & Lucy Leano</i> Tom Lucy Leano	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 101 Winter St. CITY OR TOWN Yankton SD.	DATE OF SIGNING 27 July 15 COUNTY OF REGISTRATION Yankton
SIGN 16 PRINT	<i>Sandra Jensen</i> Sandra Jensen	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 158 Hidden Hollows CITY OR TOWN Yankton SD 57078	DATE OF SIGNING 7/27/15 COUNTY OF REGISTRATION Yankton
SIGN 17 PRINT	<i>Jeanne Devine</i> Jeanne Devine	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 909 EAST 16th ST CITY OR TOWN Yankton SD 57078	DATE OF SIGNING 8/5/15 COUNTY OF REGISTRATION Yankton
SIGN 18 PRINT	<i>Kyle Lichty</i> Kyle Lichty	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 110 Currie St. CITY OR TOWN Yankton, SD 57078	DATE OF SIGNING 8/8/15 COUNTY OF REGISTRATION Yankton
SIGN 19 PRINT	<i>Loryn Lichty</i> Loryn Lichty	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 110 Currie St. CITY OR TOWN Yankton SD 57078	DATE OF SIGNING 8/8/15 COUNTY OF REGISTRATION Yankton
SIGN 20 PRINT	<i>Douglas E Kottal</i> Douglas E Kottal	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 30229 437th CITY OR TOWN Utica SD 57067	DATE OF SIGNING 8-9-15 COUNTY OF REGISTRATION Yankton
SIGN	<i>Douglas E Kottal</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 30229 437th	DATE OF SIGNING 8-9-15

SIGN 2 PRINT	<i>Carol Sambo</i> Carol Sambo	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER PO Box 2112 CITY OR TOWN SD 57101	DATE OF SIGNING 9/19/15 COUNTY OF REGISTRATION Minnehaha
SIGN	<i>Barbara M Vandak</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 12115 S Clark Ave	DATE OF SIGNING 9/19/15

PETITIONS

IMPORTANT REMINDERS

- Give petition processing top priority.
- Check registration and residency of signers and candidate.
 - **Not required for cities** to do this but if you do, do it for all petitions.
- Candidate cannot notarize their own petition but they can circulate and sign their own petition.



PETITIONS

IMPORTANT REMINDERS

- Notify candidate that petition was filed or rejected.
 - Business managers have to have a signed verification per [SDCL 13-7-6](#). This is the verification of circulator section on the petition.
 - Nominating petition contains the minimum number of signatures
 - That the candidate is a resident voter
 - 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.
- Must file affidavit stating deficiencies.
- Look at SDCL 12-1-13 for specific items that cannot be challenged to your office. Updated law as of July 1, 2017.
- 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?



FINANCIAL INTEREST STATEMENTS (FIS)

- Required for 1st Class Municipalities and Schools with greater than 2,000 average daily membership (ADM)
- There are two types of FIS's:
 - **Candidate FIS** (SDCL 12-25-28)
 - Filed within 15 days after filing nominating petition.
 - Appointed official would not need to file this.
 - **Elected Official FIS** (SDCL 3-1A-4)
 - Filed within 15 days of being elected.
 - **Then filed annually, not later than the 1st day of January.** Law change as of July 1, 2017.

FINANCIAL INTEREST STATEMENTS (FIS)

- Sample FIS forms can be found at www.sdsos.gov
- These are filed with the person in charge of the election.
- Only check for completeness.
- Do not check for accuracy.
 - It is up to the candidate/elected official to provide accurate information
- It is a petty offense for those that file late and anyone that intentionally does not file may be guilty of a Class 2 misdemeanor.
 - You could forward the violation to your jurisdiction's attorney
- Once filed, these are public documents.





Conflict of Interest

CANDIDATE

Statement of Financial Interest

Candidates who files:

State and Federal Office candidates (United States Senate, United States House of Representatives, Governor, State Legislator, circuit court judge and Supreme Court Justice [SDCL 12-25-28](#));

Convention Nominee candidates (Lieutenant Governor, state treasurer, attorney general, secretary of state, state auditor, public utilities commissioner, commissioner of school and public lands [SDCL 12-25-29](#)), and

Local Office candidates (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 any 1st class municipality [SDCL 12-25-30](#))

Deadline to file: Within 15 days after filing nominating petitions (Supreme Court Justice files within 15 days of notifying 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 (list District number if applicable) _____

What is your occupation/profession? _____

List any source of funds (business or economic relationship) which contributes **more than 10%** of or **more than \$2,000** to your family's (includes spouse, minor children living at home) **gross income** in the preceding calendar year. This also includes any enterprise in which you or an immediate family member(s) **controls more than 10%** of the capital or stock. Identify who receives the income from each enterprise but do not include the value. ([SDCL 12-25-27](#))

**The intent of this form is to collect specific information, not generalities. Do not put N/A or leave the grid blank.*

Name of Candidate or Family Member	Name the Source of Funds (Ex: current employer, SD Legislature, 401K, benefits, etc.)	Relationship to funds (Ex employee, officer, director, associate, partner, shareholder, owner, member, proprietor, etc.)

I declare and affirm 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 myself and my immediate family's financial interests for the preceding calendar year.

(Signature) _____

(Date) _____

SOUTH DAKOTA SECRETARY OF STATE • ATTENTION ELECTIONS • 500 E. Capitol Ave. • Pierre, SD 57501

www.SDSOS.gov • phone 605 773 3537 • fax 605 773 6580 • SDSOS@STATE.SD.US

Last updated 12/20/2017



Conflict of Interest

ELECTED OFFICIAL

Statement of Financial Interest

Elected Officials who file:

State Office elected officials (governor, lieutenant governor, state treasurer, attorney general, secretary of state, state auditor, public utilities commissioner, commissioner of school and public lands, state legislator, circuit court judge and supreme court justice [SDCL 3-1A-2](#));

Gubernatorial Appointee for whom senate confirmation is required shall file with the secretary of state a statement of financial interest before confirmation [SDCL 3-1A-3](#).

Local Office officials (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 any 1st class municipality [SDCL 3-1A-4](#))

Deadline to file: Not more than 15 days after the person assumes office AND then not later than the first day of January of every year the person continues to hold the 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 (list 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 source of funds (business or economic relationship) which contributes more than 10% of or more than \$2,000 to your family's (includes spouse, minor children living at home) gross income in the preceding calendar year. This also includes any enterprise in which you or an immediate family member(s) controls more than 10% of the capital or stock. Identify who receives the income from each enterprise but do not include the value. ([SDCL 3-1A-1](#))

**The intent of this form is to collect specific information, not generalities.*

Name of Candidate or Family Member	Name the Source of Funds (Ex: current employer, SD Legislature, 401K, benefits, etc.)	Relationship to funds (Ex: employee, officer, director, associate, partner, shareholder, owner, member, proprietor, etc.)

I declare and affirm 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 myself and my immediate family's financial interests for the preceding calendar year.

(Signature)

(Date)

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Last updated 12/20/2017



Conflict of Interest

ANNUAL ELECTED OFFICIAL

Statement of Financial Interest

Elected Officials who file:

State Office elected officials (governor, lieutenant governor, state treasurer, attorney general, secretary of state, state auditor, public utilities commissioner, commissioner of school and public lands, state legislator, circuit court judge and supreme court justice [SDCL 3-1A-2](#));

Gubernatorial Appointee for whom senate confirmation is required shall file with the secretary of state a statement of financial interest before confirmation [SDCL 3-1A-3](#).

Local Office officials (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 any 1st class municipality [SDCL 3-1A-4](#))

Deadline to file: Not later than the first day of January of every year the person continues to hold the 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 (list District number if applicable) _____

What is your occupation/profession? _____

List any source of funds (business or economic relationship) which contributes more than 10% of or more than \$2,000 to your family's (includes spouse, minor children living at home) gross income in the preceding calendar year. This also includes any enterprise in which you or an immediate family member(s) controls more than 10% of the capital or stock. Identify who receives the income from each enterprise but do not include the value. ([SDCL 3-1A-1](#))

**The intent of this form is to collect specific information, not generalities.*

Name of Candidate or Family Member	Name the Source of Funds (Ex: current employer, SD Legislature, 401K, benefits, etc.)	Relationship to funds (Ex: employee, officer, director, associate, partner, shareholder, owner, member, proprietor, etc.)

I declare and affirm 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 myself and my immediate family's financial interests for the preceding calendar year.

(Signature)

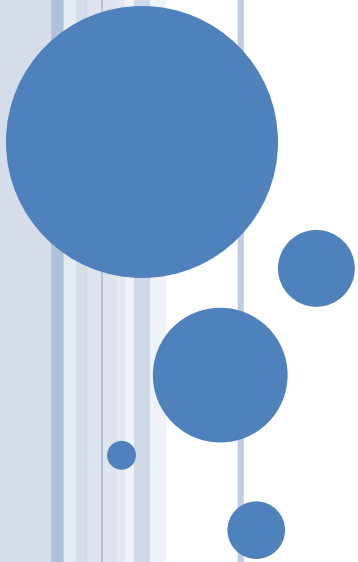
(Date)

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Last updated 12/20/2017

QUESTIONS?



VACANCIES

HOW ARE VACANCIES CREATED ON CITY COUNCILS?

SDCL 3-4-1

- (1) Dies;
- (2) Resigns;
- (3) Is removed from office;
- (4) Fails to qualify as provided by law;
- (5) Ceases to be a resident of the state, district, county, municipality, township, ward, or precinct in which the duties of the office are to be exercised or for which elected;
- (6) Is convicted of any infamous crime or of any offense involving a violation of the official oath of the office; or
- (7) Has a judgment obtained against the person for a breach of an official 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](#)
- By special election [SDCL 9-13-14.2](#)
- By temporary replacement [SDCL 3-4-8](#)



VACANCIES

HOW ARE MUNICIPAL VACANCIES FILLED? *cont'd*

- 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. The seat has to be published on the notice of vacancy for the next election, regardless of whether the position is filled by appointment.

- Examples:

- CM Smith resigns October 2017. Council appoints CM Jones. Jones serves until the vacancy is filled by election (2018) or by appointment if no one files a petition for the vacant seat.
- CM Smith resigns prior to the vacancy notice being published in 2018. Council appoints CM Jones. Jones serves until the vacancy is filled by election (2018) or by appointment if no one files a petition for the vacant seat.
- CM Smith resigns after the vacancy notice has been published in 2018. Council appoints CM Jones. Jones serves until the vacancy is filled by election (2019) or by appointment if no one files a petition for the vacant seat.



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).



VACANCIES

HOW ARE SCHOOL VACANCIES FILLED?

- 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?



- The next slides only apply to the following:
 - 1st class cities
 - Schools with average daily membership of more than 2,000



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 average daily membership (ADM) greater than 2,000.
- Any other municipality or school that has ordinances in place outlining the campaign finance laws they will follow.

CAMPAIGN FINANCE

WHERE CAN YOU FIND FORMS?

- 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
 - Review these dates with your attorney



Statement of Organization - Local Jurisdictions

SDCL 12-27-6

WHO FILES: (12-27-39)



- County offices and ballot question committees in counties with population greater than ten thousand
- Ballot question committees in first class municipalities
- School board positions and ballot question committees in school districts with more than 2,000 average daily membership

DEADLINE TO FILE: The Treasurer for a political committee shall file a statement of organization not later than 15 days after the date upon which the committee made contributions, received contributions, or paid expenses in excess of \$500.00. A candidate shall file a statement of organization for a candidate campaign committee not later than 15 days after becoming a candidate (SDCL 12-27-3; 12-27-23). The treasurer of a political committee shall file an updated statement of organization not later than fifteen days after ANY change in the information contained on this statement.

FILE WITH: The local election official and contact them to make sure this is the required form they want you to use.

Committee Type (you must select one):

- ☐ County Candidate Committee ☐ County Ballot Question Committee ☐ Municipal Ballot Question Committee
☐ School Board Candidate Committee ☐ 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 12-27-1 (3))

Candidate Name and Office Sought _____

Full Name of Committee _____

Telephone Number _____

Mailing Address _____ City _____ State _____ Zip _____

Street Address (if different than above) _____ City _____ State _____ Zip _____

Committee website address (optional) _____

Chair (Candidate may serve as Chair of their Committee)

Chair First and Last Name _____

Telephone Number _____ Email Address _____

Mailing Address _____ City _____ State _____ Zip _____

Street Address (if different than above) _____ City _____ State _____ Zip _____

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

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

Treasurer First and Last Name _____

Telephone Number _____ Email Address _____

Mailing Address _____ City _____ State _____ Zip _____

Street Address (if different than above) _____ City _____ State _____ Zip _____



Local Jurisdictions Campaign Finance Disclosure Report

SDCL 12-27

This statement is filed with your local election official. Confirm with your local election official as to whether this is the form they want you to use. Contact them for additional information or if you need assistance with filling out this document. It is the **Committee's responsibility** to provide accurate information.

Those local jurisdictions that are required to file campaign finance documents (12-27-39):

- County offices and ballot question committees in counties with population greater than ten thousand
- Ballot question committees in first class municipalities
- School board positions and ballot question committees in school districts with more than two thousand average daily memberships
 - Any municipal or school district election covered by this chapter shall conform to the contribution limits applicable to legislative offices.

Political Committee Information Required (please print):

If this is a Candidate Committee, list the candidate name as it appears on the nominating petition and office the candidate is seeking.

Candidate First and Last Name _____ Office Sought _____

Full Name of Political Committee _____

Type of Political Committee _____

Mailing Address (PO Box or Street) _____ City _____ State _____ Zip _____

Committee Telephone Number _____

Committee Email address (if applicable) _____

Treasurer Name _____

Treasurer Mailing Address (PO Box or Street) _____ City _____

State _____ Zip _____

Treasurer Telephone Number _____ Treasurer Email Address _____

If you are a Ballot Question Committee, indicate which measure the committee is involved with and whether you support or oppose the measure.

Ballot Measure Name and Number or Letter (if assigned): _____ Support ☐ Oppose ☐

No person may execute this report knowing it is false in any material respect. Any violation may be subject to a civil and/or criminal penalty. Any person who, with intent to defraud, falsely makes, completes, or alters a written instrument of any kind, or passes any forged instrument of any kind is guilty of forgery. Forgery is a Class 5 felony (SDCL 22-39-36).

Date: _____

Signature of Treasurer _____

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

Type of Campaign Statement *(you must select one)*

COUNTY candidates *select one of these reports:*

- ☐ **Pre-Primary:** fifteen days prior to the primary election, for the reporting period commencing with the last report submitted up through and including twenty days prior to the election date.
- ☐ **Pre-General:** fifteen days prior to the general election, for the reporting period commencing with the last report submitted up through and including twenty days prior to the election date.
- ☐ **Year-End:** by the last Friday in January each odd year, for the reporting period commencing with the last report submitted up through and including December thirty-first of the even year;
- ☐ **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 end in zero 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
-

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

- ☐ **Pre-Election report:** fifteen days prior to the election, for the reporting period commencing with the last report submitted up through and including twenty days prior to the election date.
- ☐ **Year-End report:** by the last Friday in January each year, for the reporting period commencing with the last report submitted up through and including December thirty-first of each year. 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 end in zero 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
-

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?

