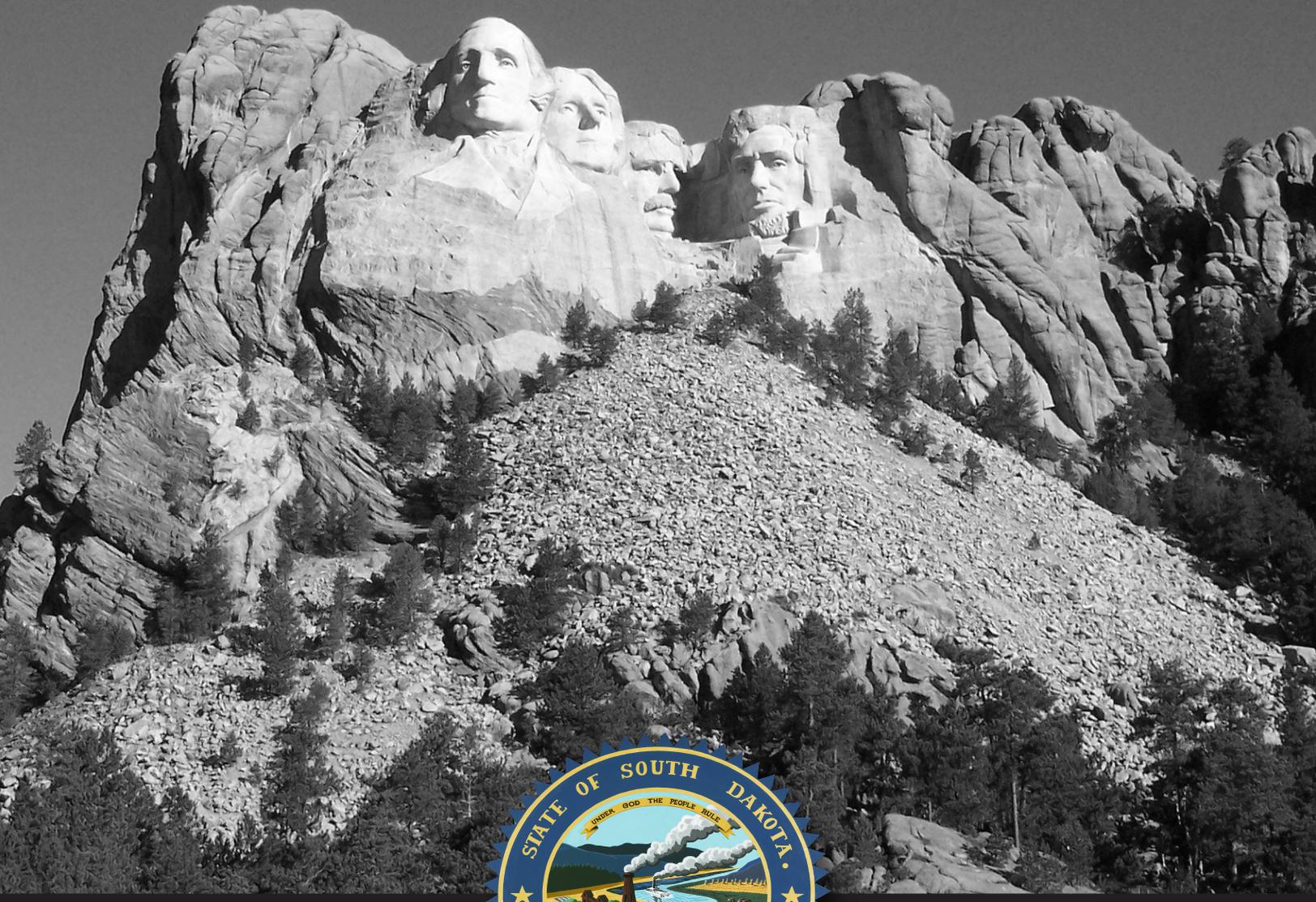


# 2014 BALLOT QUESTIONS



*Jason Gant*  
Jason M. Gant  
Secretary of State



# Secretary of State

Jason M. Gant

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My fellow South Dakotans:

Pursuant to SDCL12-13-23, the Secretary of State is required to prepare and distribute public information concerning constitutional amendments, initiatives and referred measures. This pamphlet is prepared by soliciting statements from the proponents and opponents of amendments and measures.

The title, explanation and effect of a vote for each ballot question were provided by the Honorable Marty Jackley, Attorney General. No other statements on this pamphlet reflect the opinion of the State or the Attorney General.

The information was compiled by the Secretary of State as supplied by the writers, was not verified by the Secretary of State and does not reflect the position of the State regarding the legality or effect of the amendments or measures. The Secretary of State is not responsible for the contents, objectivity or accuracy of the statements written by the proponent and opponent writers in this pamphlet.

This pamphlet is available on my website at [sdsos.gov](http://sdsos.gov) and in large print, Braille or on tape by calling the SD State Library at 1-800-423-6665.

For election returns on November 4th, please visit my website at [sdsos.gov](http://sdsos.gov) starting at 8:00 p.m. CST. Please feel free to photocopy and distribute this pamphlet.

Sincerely,

Jason M. Gant  
Secretary of State



# CONSTITUTIONAL AMENDMENT Q

## Title:

An Amendment to the South Dakota Constitution authorizing the Legislature to allow roulette, keno and craps in Deadwood.

## Explanation:

The Constitution currently authorizes the Legislature to allow two kinds of games of chance in Deadwood: limited card games and slot machines. The proposed amendment authorizes the Legislature to also allow roulette, keno and craps in Deadwood.

Under federal law, any games of chance authorized by the Legislature to be offered in Deadwood would also be allowed at on-reservation tribal casinos.

A vote “Yes” is for changing the constitution to allow the Legislature to authorize roulette, keno and craps in Deadwood.

A vote “No” will leave the constitution as it is.

### **Pro – Constitutional Amendment Q**

In 1988, South Dakota voters authorized a constitutional amendment allowing card games and slot machines within the city limits of Deadwood. At that time, the only other states allowing legalized gaming were Nevada and Atlantic City. Now, 25 years later, the available games in Deadwood have not changed despite gaming being available in 47 other states, including our neighboring states. A **YES** vote on Constitutional Amendment Q will allow roulette, keno and craps in addition to card games and slot machines, to be available in Deadwood and in on-reservation Tribal casinos. As several surrounding states have added roulette, keno and craps to the gaming choices available to their customers, the popularity of these additional games has Deadwood and Tribal visitors increasingly asking for the opportunity to play them here. As with any other successful business enterprise, South Dakota’s gaming operations must diversify and meet changing customer demands in order to compete with the gaming offered by surrounding states. Deadwood gaming tax revenues provide funding for Deadwood’s historic preservation efforts, South Dakota Tourism, Lawrence County and its schools and municipalities, South Dakota’s general fund, and historic preservation projects in many communities throughout South Dakota. Tribal gaming casino revenues fund numerous programs on each reservation. Several thousand wage-competitive jobs with upward career paths are provided by South Dakota gaming operations. Constitutional Amendment Q will produce additional jobs and benefit South Dakota’s economy. As Deadwood and Tribal gaming work to develop the tourism industry in South Dakota, Constitutional Amendment Q will play an important role. We thank the citizens of South Dakota for their 25 years of support for Deadwood and Tribal gaming and ask for your **YES** vote on Constitutional Amendment Q.

Mike Rodman, Executive Director, Deadwood Gaming Association

### **Con – Constitutional Amendment Q**

A “**NO**” vote on Constitutional Amendment **Q** will slow the almost constant expansion of gambling in the state of South Dakota. Currently, in the city of Deadwood, roulette, keno, and craps are not permitted, but limited card games and slot machines have been approved. A sixty percent supermajority vote by Deadwood city voters was previously required to approve legislation allowing the current forms of gambling in their city. However, passage of Amendment Q will allow the state legislature to authorize, on their own, roulette, keno, and craps in Deadwood. Thus, the citizens of Deadwood would not have their supermajority vote in determining whether or not they wish to limit the constant advance of gambling within their own city limits. Amendment Q diminishes local control. Whereas in most cases, the free market should be the primary regulator of business, in the case of an industry that generates so much addiction, societal ills, crime, and even suicide, the gambling industry should be subject to legal restraints. The National Council on Problem Gambling (NCPG) estimates that among South Dakotans, there are approximately 18,000 gambling addicts whose addictions inflict on the state a staggering annual cost of almost \$16 million dollars. It is a fact that gambling in South Dakota is a problem for all of her citizens. When you’re dealing with one addict, you’re dealing with 8-10 other people that are affected because of the addiction. The NCPG also estimates that one in five problem gamblers will attempt suicide, about twice the suicide rate of other addictions. Do your part to help slow the expansion of gambling in South Dakota. Vote ‘**NO**’ on Amendment **Q**.

Submitted by Dale Bartscher, Executive Director – Family Heritage Alliance Action - 1825 Clearview Ln, Suite 202, Rapid City, SD 57702, 605-718-5433.

# Initiated Measure 17

## Title

An initiated measure to require health insurers to include all willing and qualified health care providers on their provider lists.

## Attorney General Explanation

Some health insurers offer health benefit plans in which the insurer maintains a list of health care providers. Plan members must use listed providers in order to obtain the maximum plan coverage, or to have coverage at all. "Health care providers" include doctors and other licensed health care professionals, clinics and hospitals.

The initiated measure establishes who is entitled to be on the insurer's list of providers. The measure requires that these insurers list all health care providers who are willing, qualified and meet the conditions for participation established by the insurer.

The measure does not apply to all health insurers, nor to certain kinds of insurance and plans including those involving specified disease, indemnity, accident only, dental, vision, Medicare supplement, long-term care or disability income, and workers' compensation.

A vote "Yes" is for the law requiring health insurers to include all willing and qualified health care providers on their provider lists.

A vote "No" is against the proposed law.

### Pro – Initiated Measure 17

Initiated Measure 17—Patient Choice—will help control out-of-pocket costs and co-pays while improving medical outcomes. Patients deserve the freedom to choose their own doctor. Without IM-17, many patients are forced to use providers in insurance company networks or pay extra, and some are required to undergo unnecessary travel at their own expense. IM-17... Allows families to see doctors and other medical providers they know and trust. Cuts unnecessary re-testing by providers not familiar with their case histories. Reduces probability of diagnostic or prescription errors. Eases unneeded travel. Virtually eliminates out-of-network personal medical fees. Increases competition, helping control spiraling medical costs. Insurance companies must admit to their networks providers who meet their standards and agree to the insurance companies' terms. This will virtually eliminate out-of-network fees as a personal expense for most South Dakotans. The only study that deals with states' transition to similar laws shows that competition will put downward pressure on costs. There is no credible research or empirical support for opponent claims that costs will go up. And with out-of-pocket fees reduced or eliminated, patients will themselves spend less. Nearly 70% of South Dakotans surveyed support the measure. Hundreds of medical providers across South Dakota have joined together to bring patients this freedom. It is endorsed by nearly every provider organization in the state, including, among others:

SD State Medical Association, SD Orthopedic Society, SD Optometric Society, SD American Physical Therapy Association Independent Healthcare Associates, SD Academy of Physician Assistants

They support IM-17 because having a consistent, ongoing relationship with a provider is in the best interest of quality care.

Vote Yes on IM-17 Patient Choice! You shouldn't have to change doctors if your job or insurance changes.

### Con – Initiated Measure 17

History tells us that government intervention into health care drives up costs for consumers and employers. Initiated Measure 17 would force all health plans to include any hospital or doctor to be in their network, regardless of existing contracts. This notion is known as "Any Willing Provider". **IM-17 will increase the cost of what you pay for health insurance premiums.**

**Proof that IM-17 will drive up the cost for everyone.** In March, the Federal Trade Commission concluded "Any willing provider . . . provisions can therefore undermine the ability of plans to reduce costs. This is likely to result in higher negotiated prices, ultimately harming consumers."

**IM-17 is more government interference in health care.** The Government doesn't tell any other business who they have to hire. Schools are not required to hire any-willing teachers, and medical practices are not required to hire any-willing doctor.

The Attorney General's explanation reinforces the need to vote NO – you will see the language in quotes on the ballot.

**1. Defined networks offer lowest possible price.**

*"Some health insurers offer health benefit plans in which the insurer maintains a list of health care providers. Plan members must use listed providers in order to obtain the maximum plan coverage."*

**2. IM-17 gives government the power to force insurers to list doctors and hospitals regardless of existing contracts that save consumers money.**

*"The initiated measure establishes who is entitled to be on the insurer's list of providers."*

**3. IM-17 only applies to certain insurance plans, but everyone will end up paying more.**

*"The measure does not apply to all health insurers, nor to certain kinds of insurance and plans including those involving specified disease, indemnity, accident only, dental, vision, Medicare supplement, long-term care or disability income, and workers' compensation."*

**Vote NO on 17**  
Why pay more?

# Initiated Measure 18

## Title

An initiated measure to increase the state minimum wage.

## Attorney General Explanation

The initiated measure amends state law to raise South Dakota's hourly minimum wage for non-tipped employees from \$7.25 to \$8.50 per hour, effective January 1, 2015. Thereafter, this minimum wage will be annually adjusted by any increase in the cost of living. The cost of living increase is measured by the change in the Consumer Price Index published by the U.S. Department of Labor. In no case may the minimum wage be decreased.

In addition, the hourly minimum wage for tipped employees will be half the minimum wage for non-tipped employees as adjusted by any cost of living increase described above.

These increases would apply to all employers in South Dakota, with limited exceptions.

A vote "Yes" is for the increase in the state minimum wage.

A vote "No" is against the change in the law.

### Pro – Initiated Measure 18

Here's why voters should say YES on Initiated Measure 18 on Tuesday, November 4th, 2014: Raising the minimum wage means South Dakota is...

**Valuing hard work.** South Dakotans show up, work hard, and never quit until the job is done. But many South Dakotans aren't getting paid a fair wage for their unflinching work ethic. It's time to reward hard work with an honest wage.

**Putting money in the pockets of hard working people who grow our economy.** Workers with more money will spend it on the things their families need everyday. That boosts demand at small businesses and grows the economy. And a lot of those workers will be lifted out of poverty and off government assistance too. **Promoting economic fairness.** At a time when wages have stagnated and CEO pay is 331 times higher than the average American worker, South Dakotans want an economy that works for everyone.

Initiated Measure 18 is going to make a huge difference for working South Dakotans. According to an analysis of the 2012 Current Population Survey,

- **62,000** South Dakotans will earn more if voters pass Initiated Measure 18.
- **78%** of those folks are over the age of 20, often with a family to support.
- **56%** of those who benefit are women.

Raising the minimum wage helps working families without negative impacts on employment. The most comprehensive research shows that raising the minimum wage has no adverse impact on employment. In fact, states that raised the minimum wage in 2014 actually saw faster job growth. With the soaring cost of food, gas, and housing since the last minimum wage increase five years ago, South Dakota families are working harder and harder just to make ends meet. But this year, voters can do something about it. Please vote YES on Initiated Measure 18 to raise the minimum wage.

Submitted by: Mark Anderson, Chair of the Raise South Dakota ballot question committee.

### Con – Initiated Measure 18

Initiated Measure 18 goes too far.

It mandates a 17% hike in January, making South Dakota's minimum wage higher than 43 other states. But it doesn't end there. IM18 mandates another increase every single year, forever, based on economies in other states, even if South Dakota's economy doesn't do well.

The unintended consequences of a mandated minimum wage increase every single year would hurt the workers and families it proposes to help.

- Experienced workers may not get the raises they deserve as employers are forced to pay entry level and unskilled workers more each year.
- Many employers would be forced to eliminate part-time jobs and combine those duties with those of higher skilled workers.
- Worker benefits at all levels could be reduced.
- Young and unskilled workers will have a harder time getting jobs - and lose the chance to gain valuable work experience.
- Prices will go up for goods and services - including essentials such as food and clothing – on all families, including unskilled entry level workers.

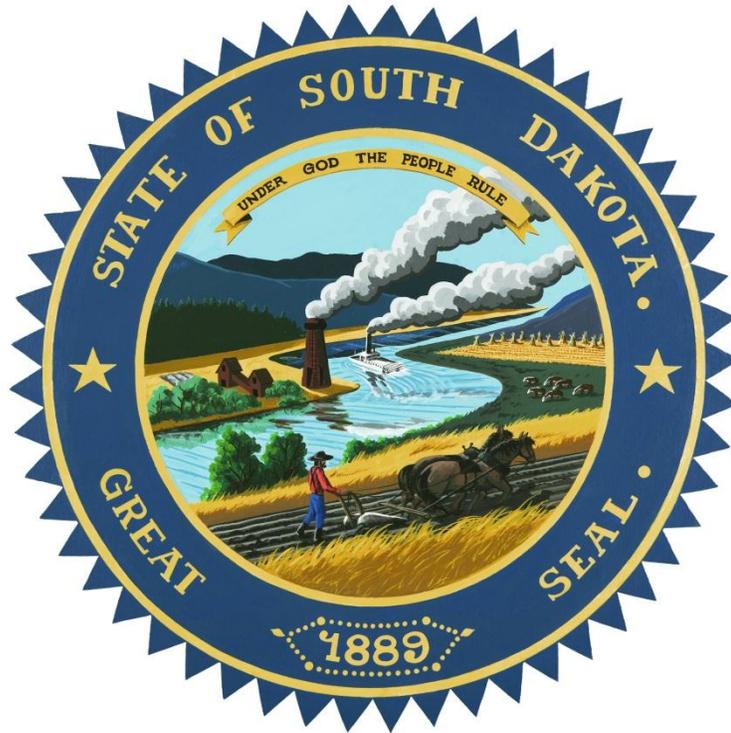
This mandate would hit small towns the hardest. As prices go up to cover increased operating costs, it drives customers elsewhere.

Employers who can afford it are already paying more than the minimum wage to attract and keep employees in a competitive market.

Initiated Measure goes too far and would hurt those it proposes to help.

Vote NO to another "forever" government mandate!

Shawn Lyons, South Dakota Retailers Association  
Michael Held, South Dakota Farm Bureau  
*on behalf of*  
NoMoreMandates.org



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