OFFICIAL GENERAL ELECTION BALLOT

INSTRUCTIONS TO THE VOTER:

To vote for a person **FILL IN** the oval (⬤) next to the name.

Use only a pencil or pen.

If you make a mistake, give the ballot back and get a new one.

DO NOT cast more votes than are allowed in each race.

For United States Representative
You may vote for **one** or leave it blank.

- ⬯ **George D. Hendrickson**
  Libertarian Party
- ⬯ **Dustin "Dusty" Johnson**
  Republican Party
- ⬯ **Tim Bjorkman**
  Democratic Party
- ⬯ **Ron Wieczorek**
  Independent

For Governor and Lieutenant Governor
To be elected as a team, you may vote for **one** or leave it blank.

- ⬯ **Kurt Evans**
  for Governor and
  Richard Shelatz
  for Lieutenant Governor
  Libertarian Party
- ⬯ **Kristi Noem**
  for Governor and
  Larry Rhoden
  for Lieutenant Governor
  Republican Party
- ⬯ **Billie Sutton**
  for Governor and
  Michelle Lavallee
  for Lieutenant Governor
  Democratic Party

For Secretary of State
You may vote for **one** or leave it blank.

- ⬯ **Steve Barnett**
  Republican Party
- ⬯ **Alexandra Frederick**
  Democratic Party

For Attorney General
You may vote for **one** or leave it blank.

- ⬯ **Jason Ravnsborg**
  Republican Party
- ⬯ **Randy Seiler**
  Democratic Party

For State Auditor
You may vote for **one** or leave it blank.

- ⬯ **Rich Sattgast**
  Republican Party
- ⬯ **Tom Cool**
  Democratic Party

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For State Treasurer
You may vote for **one** or leave it blank.

- ⬯ **Josh Haeder**
  Republican Party
- ⬯ **Aaron Matson**
  Democratic Party

For Commissioner of School and Public Lands
You may vote for **one** or leave it blank.

- ⬯ **Ryan Brunner**
  Republican Party
- ⬯ **Woody Houser**
  Democratic Party

For Public Utilities Commissioner
You may vote for **one** or leave it blank.

- ⬯ **Kristie Fiegen**
  Republican Party
- ⬯ **Wayne Frederick**
  Democratic Party

For State Senator District 8
You may vote for **one** or leave it blank.

- ⬯ **Jordan Youngberg**
  Republican Party
- ⬯ **Scott Parsley**
  Democratic Party

For State Representatives District 8
You may vote for up to **two** or leave it blank.

- ⬯ **Marli Wiese**
  Republican Party
- ⬯ **Randy Gross**
  Republican Party
- ⬯ **Chris Francis**
  Democratic Party
- ⬯ **Jason Unger**
  Democratic Party

For County Commissioner At Large
You may vote for up to **two** or leave it blank.

- ⬯ **Kelli Wollmann**
  Republican Party
- ⬯ **Aaron A. Johnson**
  Democratic Party
- ⬯ **Charles Scholl**
  Independent

NONPOLITICAL BALLOT

Supreme Court Justice Retention
Shall the Justice of the Supreme Court named on this ballot, whose term expires January 1, 2019, be retained in office?

Justice Janine M. Kern
representing the First Supreme Court District

- ⬯ **YES**
- ⬯ **NO**

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INSTRUCTIONS TO THE VOTER:

To vote on a ballot question **FILL IN** the oval (⬤) next to "yes" or "no".

DO NOT cast more votes than are allowed in each race.

Constitutional Amendment
The following amendment to the State Constitution is submitted to the voters by petition. This amendment will not become effective unless approved by majority vote.

Constitutional Amendment W

Title: An initiated amendment to the South Dakota Constitution changing campaign finance and lobbying laws, creating a government accountability board, and changing certain initiative and referendum provisions.

Attorney General Explanation: This constitutional amendment lowers campaign contribution amounts to candidates and political parties. It prohibits contributions to candidates or political parties by labor unions and corporations. Candidates and elected officials are prohibited from using campaign contributions for personal use.

The amendment expands the scope of activities requiring people to register as lobbyists, and places additional restrictions on lobbyists.

The amendment replaces the government accountability board recently created by the Legislature. The new board is granted broad power, including the power to investigate, adopt rules, issue advisory opinions, and conduct audits. It may impose sanctions, including fines, on any elected or appointed official, judge, or State or local government employee. The amendment annually appropriates State funds to be solely administered by the board.

The amendment limits the number of votes necessary for approval of any initiative or referendum to a simple majority. It requires the Legislature to make specific factual findings when enacting laws that are not subject to referral. If the Legislature wants to change the initiative or referendum process, or a law passed by initiative, it must submit the change to the voters.

This multiple-section amendment makes other additions to the Constitution. It will likely be challenged on constitutional grounds.

Prison/Jail Population Cost Estimate Statement: This initiated measure to amend the South Dakota Constitution establishes five misdemeanor penalties and three felony penalties, to be punished as provided by law. If passed, the Legislature would be required to set the class levels for each of the penalties created. However, it is the opinion of the Legislative Research Council that the penalties in this initiated amendment are administrative penalties. The nature of these laws encourages regular compliance with the provisions to which they adhere. Hence, the impact on jail and prison populations is likely negligible.

Fiscal Note: The amendment annually appropriates $389,000, indexed to inflation, in state funds to a government accountability board. Additionally, the state will have to pay one-time costs if the amendment is challenged on constitutional grounds. Based on previous court cases handled by the state, a median case costs approximately $78,322.

- ⬯ **Yes** Vote "Yes" to adopt the amendment.
- ⬯ **No** Vote "No" to leave the Constitution as it is.

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INSTRUCTIONS TO THE VOTER:

To vote on a ballot question **FILL IN** the oval (⬬) next to "yes" or "no".

DO NOT cast more votes than are allowed in each race.

Constitutional Amendments

The following amendments to the State Constitution are submitted to the voters by the Legislature. The amendments will not become effective unless approved by majority vote.

Constitutional Amendment X

Title: An amendment to the South Dakota Constitution increasing the number of votes needed to approve a constitutional amendment.

Attorney General Explanation: The South Dakota Constitution may only be amended by a vote of the people. Currently, the Constitution provides that a proposed amendment must receive a majority of the votes cast in order to be approved.

Constitutional Amendment X changes the Constitution, increasing the number of votes needed to approve an amendment from a majority to 55% of the votes cast on the amendment.

○ **Yes**   Vote "Yes" to adopt the amendment.

○ **No**   Vote "No" to leave the Constitution as it is.

Constitutional Amendment Z

Title: An amendment to the South Dakota Constitution establishing that a proposed constitutional amendment may embrace only one subject, and requiring proposed amendments to be presented and voted on separately.

Attorney General Explanation: By law, any proposed amendment to the South Dakota Constitution must first be submitted to and approved by a vote of the people.

Constitutional Amendment Z changes the Constitution to add the requirement that a proposed amendment may not embrace more than one subject. In addition, multiple amendments proposed at the same election must be individually presented and voted on separately.

○ **Yes**   Vote "Yes" to adopt the amendment.

○ **No**   Vote "No" to leave the Constitution as it is.

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Initiated Measures

The following initiated measures were proposed by petition for submission to the voters. These initiated measures will not become effective unless approved by majority vote.

Initiated Measure 24

Title: An initiated measure prohibiting contributions to ballot question committees by non-residents, out-of-state political committees, and entities that are not filed with the Secretary of State.

Attorney General Explanation: This measure prohibits contributions to statewide ballot question committees by non-residents, by political committees organized outside South Dakota, and by any entity that is not filed as an entity with the Secretary of State for the four years prior to making a contribution. It requires the Secretary of State to impose a civil penalty on any ballot question committee that accepts a prohibited contribution. The civil penalty is double the amount of the contribution. The measure requires the Secretary of State to investigate alleged contribution violations prohibited by this measure.

Currently, there are state laws regulating other kinds of election-related contributions, disclaimers, and disclosures. Violations of these laws are classified as misdemeanors and are subject to criminal penalties. The measure allows a court to impose a civil penalty (up to $5,000 per violation) in addition to the criminal penalty. Under the measure, the Secretary of State must investigate alleged violations of these particular election-related laws.

All civil penalties collected under this measure will be placed in the State general fund.

The measure is likely to be challenged on constitutional grounds.

Fiscal Note: The only likely fiscal impact related to this Initiated Measure will be if the measure is challenged on constitutional grounds. Based on previous court cases handled by the state, a median case costs approximately $78,322.

○ **Yes**   Vote "Yes" to adopt the initiated measure.

○ **No**   Vote "No" to leave South Dakota law as it is.

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Initiated Measure 25

Title: An initiated measure increasing the State tobacco tax and creating a postsecondary technical institute fund for the purposes of lowering student tuition and providing financial support to the State postsecondary technical institutes.

Attorney General Explanation: This measure increases the State tax on tobacco products sold in the state. The tax on packs containing 20 cigarettes would increase $1.00 per pack, and 25-cigarette packs would increase $1.25 per pack. Tax on other types of tobacco products such as cigars, roll-your-own, and chewing tobacco would change from the current rate (35% of the wholesale price) and be increased to 55% of the wholesale price.

The measure also creates a postsecondary technical institute tuition reduction and workforce training fund that will be administered by the State Board of Technical Education, which oversees the State postsecondary technical institutes. Currently there are four: Lake Area Technical Institute, Mitchell Technical Institute, Southeast Technical Institute, and Western Dakota Technical Institute. The fund's purposes include lowering tuition and providing financial support for these technical institutes.

Under current law, the first $30 million of tobacco tax revenue collected annually is deposited into the State general fund, and the next $5 million is deposited into the existing tobacco prevention and reduction trust fund. This measure would require the next $20 million to be deposited into the technical institute fund created by this measure.

Fiscal Note: Based on previous cigarette tax increases, a 65.4% increase in price should produce a smoking reduction of 16.4%. Based on the previous tobacco tax increase, a 57.1% tax increase is unlikely to affect demand.

The resulting revenue increases would be as follows:

General Fund: $4,942,542
Tobacco Trust: $0
Technical Institutes: $20,000,000
Total: $24,942,542

○ **Yes**   Vote "Yes" to adopt the initiated measure.

○ **No**   Vote "No" to leave South Dakota law as it is.

Bond Issue

Title: Resolution 18-11 Resolution Declaring Necessity and Expediency for Issuance of General Obligation Bonds and Calling an Election.

Amount and Terms Explanation:
Shall Lake County, South Dakota, issue and sell its negotiable general obligation bonds in a registered principal amount not exceeding $15,621,785.83, issued in one or more series, bearing interest at such rates as may be determined by the commission, payable and maturing from 1 and not to exceed 20 years after the year of issuance, for the purpose of constructing, renovating, and equipping justice and public safety facilities?

Shall the above proposition be approved and the bonds issued?

○ Yes

○ No

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