

SAMPLE GENERAL ELECTION BALLOT

November 06, 2012

Minnehaha County, South Dakota

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To vote for a person **FILL IN** the oval (●) next to the name.
 To vote on a ballot question **FILL IN** the oval (●) next to "yes" or "no". 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 Public Utilities Commissioner
 4 Year Term**
 you may vote for one or leave it blank

- Nick Nemeč**
Democratic Party
- Chris Nelson**
Republican Party

**For Conservation District Supervisor,
 Taxpayer of Real Property**
 you may vote for one or leave it blank

- Tom Wolles**
- Gordon Heber**

Constitutional Amendment(s)

The following amendment(s) to the State Constitution (is/are) submitted to the voters by the Legislature. The amendment(s) will not become effective unless approved by majority vote.

For Presidential Electors
 you may vote for one slate or leave it blank

- Obama & Biden Electors**
Democratic Party
Jim Burg
Marc S. Feinstein
Ritchie Nordstrom

**For State Senator
 District 12**

you may vote for one or leave it blank

- Kent Alberty**
Democratic Party
- Mark Johnston**
Republican Party

Constitutional Amendment M

Title: An Amendment to the South Dakota Constitution regarding certain provisions relating to corporations.

- Goode & Clymer Electors**
Constitution Party
Joy Howe
Lori Stacey
Dan Huwe

- Romney & Ryan Electors**
Republican Party
Dennis Daugaard
Matt Michels
Marty Jackley

- Johnson & Gray Electors**
Libertarian Party
Bob Newland
Tony Ryan
Samuel Saunders

**For State Representative
 District 12**

you may vote for up to two or leave it blank

- Susan M. Randall**
Democratic Party
- Mike Knudson**
Democratic Party
- Manny Steele**
Republican Party
- Hal Wick**
Republican Party

Attorney General Explanation: The Constitution currently contains certain restrictions on the Legislature's authority to enact laws regarding corporations. For example, corporate directors must be elected by cumulative voting, in which a shareholder may choose to cast all votes for a single candidate or spread the votes among two or more candidates. Corporate stock or bonds may only be issued for money, labor or property received by the corporation. Corporate stock or debt may not be increased without prior notice to and consent of current stockholders.

For United States Representative
 you may vote for one or leave it blank

- Matt Varilek**
Democratic Party
- Kristi Noem**
Republican Party

NONPOLITICAL BALLOT

Supreme Court Justice Retention
 Shall the justice(s) of the Supreme Court named on this ballot, whose term(s) expire(s) January 1, 2013, be retained in office?

Constitutional Amendment M removes these restrictions, and allows the Legislature to: (1) authorize alternative methods of voting in elections for corporate directors; (2) expand the types of contributions a corporation may receive for the issuance of stock or bonds; and (3) establish procedures governing the increase of corporate stock or debt.

**For Public Utilities Commissioner
 6 Year Term**
 you may vote for one or leave it blank

- Matt McGovern**
Democratic Party
- Kristie Fiegen**
Republican Party
- Russell Clarke**
Libertarian Party

Supreme Court Retention

Justice Glen A. Severson representing the Second Supreme Court District

- Yes**
- No**

- Yes** A vote "Yes" will remove the constitutional restrictions.
- No** A vote "No" will leave the Constitution as it is.

TURN PAGE

SAMPLE GENERAL ELECTION BALLOT

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Constitutional Amendment N

Title: An Amendment to the South Dakota Constitution repealing certain reimbursement restrictions for travel by legislators to and from a legislative session.

Attorney General Explanation: The Constitution fixes the mileage reimbursement rate for legislators at five cents per mile for their travel to and from a legislative session.

Constitutional Amendment N repeals this constitutional limitation and allows legislator travel reimbursement to be set by the Legislature.

- Yes** A vote "Yes" will eliminate the fixed travel reimbursement rate.
- No** A vote "No" will leave the Constitution as it is.

Constitutional Amendment O

Title: An Amendment to the South Dakota Constitution changing the method for distributions from the cement plant trust fund.

Attorney General Explanation: In 2001, the \$238 million in proceeds from the sale of the state cement plant were placed in a constitutionally created trust fund. Currently, the Constitution requires a yearly transfer of \$12 million from the cement plant trust fund to the state general fund. In addition, under certain circumstances the Legislature must authorize distributions of cement plant trust fund earnings for the support of education.

Amendment O replaces the existing method for cement trust fund distributions. The amendment would require a yearly transfer of 4% of the market value of the cement plant trust fund to the state general fund for the support of education.

- Yes** A vote "Yes" is for changing the method for distributions from the cement plant trust fund.
- No** A vote "No" will leave the constitution as it is.

Constitutional Amendment P

Title: An Amendment to the South Dakota Constitution adding balanced budget requirements.

Attorney General Explanation: While the constitution currently restricts the State from incurring debt, it does not expressly require the State to have a balanced budget. Amendment P requires the Governor to propose a balanced budget. In addition, Amendment P prohibits legislative appropriations from exceeding anticipated revenues and existing available funds. The amendment is not intended to affect other constitutional provisions.

- Yes** A vote "Yes" will include balanced budget requirements in the Constitution.
- No** A vote "No" will leave the Constitution as it is.

Initiated Measure(s)

The following initiated measure(s) (was/were) proposed by petition for submission to the voters. The initiated measure(s) will not become effective unless approved by majority vote.

Initiated Measure 15

Title: An initiated measure to increase state general sales and use taxes for additional K-12 public education and Medicaid funding.

Attorney General Explanation: The initiated measure increases the state general sales and use tax rate from 4% to 5%. The additional tax revenue will be split evenly between K-12 public education and Medicaid. The education funds will be provided to school districts based on enrollment, to be spent on improving education as school boards determine. The Medicaid funds will be spent only on payments to Medicaid providers and related state expenses.

The additional funds cannot replace or reduce state funding levels set for fiscal year 2012 relating to existing Medicaid and K-12 public education programs, including state aid to education. Currently, state aid is to be adjusted annually by 3% or the rate of inflation, whichever is less. Under the measure, this annual adjustment cannot exceed the growth rate in state general fund revenues. Any resulting shortfall in state aid will be made up in subsequent years.

- Yes** A vote "Yes" is for the proposed law.
- No** A vote "No" is against the proposed law.

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Referred Law(s)

The following law(s) (was/were) adopted by the Legislature and referred to the voters by petition. The law(s) will not become effective unless approved by majority vote.

Referred Law 14

Title: An Act to establish the Large Project Development Fund.

Attorney General Explanation: The referred law establishes the "Large Project Development Fund." Beginning January 1, 2013, 22% of contractors' excise tax revenues would be transferred from the state general fund to the Large Project Development Fund.

The South Dakota Board of Economic Development would use Large Project Development Fund monies to provide grants for the construction of large economic development projects within the state. To be eligible, a project must have a cost exceeding \$5 million. Examples of eligible projects include laboratories and facilities for testing, manufacturing, power generation, power transmission, agricultural processing, and wind energy. Examples of ineligible projects include retail establishments; residential housing; and facilities for lodging, health care services and the raising or feeding of livestock.

- Yes** A vote "Yes" is for the establishment of the Large Project Development Fund.
- No** A vote "No" is against the referred law.

Referred Law 16

Title: An education reform act to establish a teacher scholarship program; create a program for math and science teacher bonuses; create a program for teacher merit bonuses; mandate a uniform teacher and principal evaluation system; and eliminate state requirements for teacher tenure.

Attorney General Explanation: Referred Law 16 is an education reform act with five key components. First, it establishes a scholarship program for eligible college students who commit to teach in South Dakota in critical need subject areas.

Second, the referred law creates a program to provide state-funded annual bonuses for eligible math and science teachers.

Third, the referred law develops a separate "Top Teachers" bonus program. This program provides annual state-funded merit bonuses for up to 20% of each school district's full-time certified teachers, as awarded by the local school boards. Alternatively, a school board may enact its own program for teacher bonuses, using these state-provided funds. A school board may opt out of these merit bonus programs altogether, resulting in re-allocation of its merit bonus funds to other participating school districts.

Fourth, the referred law mandates a uniform statewide system for evaluating teachers and principals, including a rating system.

Fifth, the referred law eliminates state requirements for continuing contracts ("tenure") for teachers who do not achieve tenure by July 1, 2016. School boards may, in their discretion, choose to offer continuing contracts to non-tenured teachers.

- Yes** A vote "Yes" is to enact the education reform act.
- No** A vote "No" is against the referred law.