# 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

## 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 09
You may vote for **one** or leave it blank.

○ **Wayne H. Steinhauer**
Republican Party

○ **Laura Swier Kotelman**
Democratic Party

**Go to top of next column**

## For State Senator District 10
You may vote for **one** or leave it blank.

○ **Margaret Sutton**
Republican Party

○ **Rachel Willson**
Democratic Party

## For State Senator District 11
You may vote for **one** or leave it blank.

○ **Jim Stalzer**
Republican Party

○ **Kevin Elsing**
Democratic Party

## For State Senator District 12
You may vote for **one** or leave it blank.

○ **R. Blake Curd**
Republican Party

○ **Kasey Olivier**
Democratic Party

## For State Senator District 13
You may vote for **one** or leave it blank.

○ **Jack Kolbeck**
Republican Party

○ **Melissa Hiatt**
Democratic Party

## For State Senator District 14
You may vote for **one** or leave it blank.

○ **Deb Soholt**
Republican Party

○ **Justyn Hauck**
Democratic Party

## For State Senator District 15
You may vote for **one** or leave it blank.

○ **Reynold F. Nesiba**
Democratic Party

## For State Senator District 25
You may vote for **one** or leave it blank.

○ **Kris K. Langer**
Republican Party

○ **Brian Wirth**
Independent

○ **Peter Klebanoff**
Independent

## For State Representative District 09
You may vote for up to **two** or leave it blank.

○ **Deb Peters**
Republican Party

○ **Michael Clark**
Republican Party

○ **Michael Saba**
Democratic Party

○ **Toni Miller**
Democratic Party

## For State Representative District 10
You may vote for up to **two** or leave it blank.

○ **Steven Haugaard**
Republican Party

○ **Doug Barthel**
Republican Party

○ **Dean Kurtz**
Democratic Party

○ **Barbara Saxton**
Democratic Party

## For State Representative District 11
You may vote for up to **two** or leave it blank.

○ **Mark K. Willadsen**
Republican Party

○ **Chris Karr**
Republican Party

○ **Sheryl L. Johnson**
Democratic Party

○ **Margaret Kuipers**
Democratic Party

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## For State Representative District 12
You may vote for up to **two** or leave it blank.

○ **Manny Steele**
Republican Party

○ **Arch Beal**
Republican Party

○ **Scott C. Petersen**
Democratic Party

○ **Jeff Hayward**
Democratic Party

## For State Representative District 13
You may vote for up to **two** or leave it blank.

○ **Sue Peterson**
Republican Party

○ **Rex Rolfing**
Republican Party

○ **Kelly Sullivan**
Democratic Party

## For State Representative District 14
You may vote for up to **two** or leave it blank.

○ **Larry P. Zikmund**
Republican Party

○ **Tom Holmes**
Republican Party

○ **Valerie Loudenback**
Democratic Party

○ **Erin Healy**
Democratic Party

## For State Representative District 15
You may vote for up to **two** or leave it blank.

○ **Jamie Smith**
Democratic Party

○ **Linda Duba**
Democratic Party

## For State Representative District 25
You may vote for up to **two** or leave it blank.

○ **Jon Hansen**
Republican Party

○ **Tom Pischke**
Republican Party

○ **Dan Ahlers**
Democratic Party

○ **Bj Motley**
Democratic Party

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

○ **Bob Litz**
Republican Party

○ **Rose Grant**
Democratic Party

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

○ **Austin J. Oxner**
Republican Party

○ **Cindy Heiberger**
Republican Party

○ **Gerald Beninga**
Republican Party

○ **Jeff Barth**
Democratic Party

○ **John Cunningham**
Democratic Party

○ **Nikki Gronli**
Democratic Party

## 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**

**Place ballot stamp here**

**Turn Page**

### 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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### 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.

### 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.