

SENATOR BROCK L. GREENFIELD, CHAIR | REPRESENTATIVE STEVEN G. HAUGAARD, VICE CHAIR
REED HOLWEGNER, DIRECTOR | SUE CICHOS, DEPUTY DIRECTOR

500 EAST CAPITOL AVENUE, PIERRE, SD 57501 | 605-773-3251 | SDLEGISLATURE.GOV



November 6, 2020

Mr. Arthur Taylor
PO Box 304
Winnebago, NE 68071

RECEIVED
NOV 09 2020
S.D. SEC. OF STATE

Dear Mr. Taylor:

The Legislative Research Council (LRC) is required by SDCL 12-13-24 to review each initiated constitutional amendment for the purpose of determining whether the amendment is written in a clear and coherent manner that reflects the style and form of other legislation and for the purpose of ensuring that the amendment is not misleading or likely to cause confusion among the voters. In accordance with SDCL 12-13-25, the LRC is required to provide written comments for the purpose of assisting the amendment's sponsor in meeting the requirements of SDCL 12-13-24. This includes providing assistance regarding the substantive content of the amendment in order to minimize any conflict with existing law and to ensure the amendment's effective administration. While there is no obligation to accept any of the suggestions contained in this letter, you are asked to keep in mind the legal standards established in SDCL 12-13-24 and 12-13-25.

Against this backdrop, we have prepared and attached a copy of the proposed amendment with our suggested style and form changes, which are based upon the Guide to Legislative Drafting (<https://mylrc.sdlegislature.gov/api/Documents/127102.pdf>). We have overstricken material that we suggest be removed. Additions are underscored. Should you have any questions about these changes, or about the suggestions made in this letter, please feel free to contact this office.

This letter constitutes neither an endorsement of the proposed amendment nor a guarantee of its sufficiency. It is a recognition that your responsibility to submit your draft to the LRC for review and comment, as required by SDCL 12-13-25, has been fulfilled. If you proceed with your initiated amendment, please ensure neither your statements nor any advertising imply that this office has endorsed or approved the measure.

Sincerely,

A handwritten signature in blue ink that reads "Reed Holwegner".

Reed Holwegner
Director

RH/DO/ct

Enclosure

CC: The Honorable Steve Barnett, Secretary of State ✓
The Honorable Jason Ravnsborg, Attorney General

Filed this 12th day of
November 2020
A handwritten signature in blue ink that reads "Steve Barnett".
SECRETARY OF STATE

Object Clause:

~~To amend South Dakota's Constitution so that in the event the two major political parties fail to publicly on the winner of a United States presidential election within seven days after such election, the initiative petition process may be used by voters to propose amendments to the state Constitution, without application of the "single subject" rule, and requiring a vote on any such petitions~~

~~In addition, any initiative petitions submitted satisfying the requirements of an initiative petition, except for the "single subject" rule, shall be submitted to the voters for a vote within sixty days after such presidential election.~~

~~Be it resolved by the people of the state of South Dakota that the Constitution be amended as follows:~~

Article XXIII Section 1 4, Inapplicability of single subject rule

~~Article XXIII, Section 1, is hereby amended by adding at the end of the current section the following language:~~

BE IT ENACTED BY THE PEOPLE OF SOUTH DAKOTA:

That Article XXIII of the Constitution of the State of South Dakota be amended by adding a NEW SECTION to read:

~~"Notwithstanding the language of this Section 1, initiative measures may contain multiple subjects if the two major political parties fail to publicly agree on the § 4. The requirements under §1 of this article regarding a single subject and the filing of a proposed amendment at least one year prior to the election shall be suspended for a period of three years if the winner of a United States presidential election has not been resolved within seven days after such the election. In addition, any initiative petitions-initiated amendment petitions submitted within three years subsequent to-such the presidential election, which would satisfy the requirements of an initiative otherwise be a valid initiated amendment petition except for the then-existing temporarily suspended provisions of Article XXIII Section 1, shall be considered as newly- §1 of this article may be submitted, and shall qualify, and shall be accepted as a valid-initiative initiated amendment petition, regardless of prior or current deadlines. Such petitions shall be submitted to the voters for a vote in a special election within sixty days after such the presidential election.~~