

STATE OF SOUTH DAKOTA



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August 2, 2011

The Honorable Jason M. Gant
Secretary of State
500 E. Capitol
Pierre, SD 57501

RE: Ballot Explanation

Dear Secretary Gant,

On June 10, 2011, this Office received an initiated measure from attorney Michael Shaw on behalf of the measure's sponsors, Senator Craig Tieszen, Senator Jason Frerichs, Representative Peggy Gibson and Representative Tad Perry. In compliance with the requirements of SDCL 12-13-25.1, enclosed is the Attorney General's Statement prepared with respect to this measure. By copy of this letter, I am providing the sponsors with a copy of the same.

Sincerely,

A handwritten signature in black ink, appearing to read "Marty J. Jackley".

Marty J. Jackley
ATTORNEY GENERAL

MJJ/ld
Enc.

cc w/enc: Senator Craig Tieszen
Senator Jason Frerichs
Representative Tad Perry
Representative Peggy Gibson

Initiated Measure
Attorney General's Statement

Title: An initiated measure to change the presidential election process.

Explanation:

The President of the United States is elected by majority vote of the "Electoral College." The Electoral College is made up of members called "electors" from each state based on the number of its senators and representatives. South Dakota has three of the nation's 538 electoral votes.

The initiated measure changes the process for determining electors. Currently, South Dakota's three electors are chosen based on the presidential candidate winning the statewide popular vote. Under the measure, South Dakota's electors would instead be chosen based on the candidate winning the nationwide popular vote.

The measure takes effect only when states with a majority of the electoral votes have similar laws. In that event, presidential electors will be chosen in these states based on the nationwide popular vote.