



South Dakota Secretary of State

Monae L. Johnson
Secretary of State

Thomas J. Deadrick
Deputy Secretary of State

MINUTES OF PUBLIC MEETING State Board of Elections

The State Board of Elections convened a public meeting at 2:00 PM CST on July 8th, 2026, hosted online via Microsoft Teams.

Chair (In-Person): Monae L. Johnson, Secretary of State.

Members of the Board in Attendance (Online): Kent Alberty, Jamalia Franzen, Austin Hoffman, Lindley Howard, Kristin Matsuda, Scott McGregor.

Others in Attendance (In-Person): Tom Deadrick, Deputy Secretary of State; Grant Flynn, Assistant Attorney General; Christine Lehrkamp, Director of Elections

Others in Attendance (Call-In Option): Approximately 21 people were present online.

Call to Order: Secretary of State Monae L. Johnson called the State Board of Elections meeting to order at 2:00 PM CST. Roll call: all present except Jamalia Franzen.

Motion to Dismiss: McGregor moved to dismiss the petition of the League of Women Voters for lack of jurisdiction because the League is not a defined person under SDCL 1-26-1(7) entitled to bring a petition for promulgation of a rule under SDCL 1-26-13. Seconded by Hoffman.

Board Discussion: McGregor addressed the Chair regarding the definition of a "person" under the State Administrative Procedures Act (APA). He noted that, potentially due to an oversight, the current statutory definition strictly includes only state agencies and political subdivisions of the State of South Dakota. McGregor further clarified the implications of this definition, stating that because the League of Women Voters does not qualify as a state agency or political subdivision, the organization lacks the legal authority under the State APA to submit a petition for rule promulgation under Section 1-26-13.

Secretary of State Monae L. Johnson clarified the role of the Secretary of State's office, emphasizing that the office is responsible for implementing laws rather than creating them. While acknowledging the intent behind the League of Women Voters' petition for rulemaking, Secretary Johnson stated that the office must adhere to the statutory language of Senate Bill 175. She noted that the legislature explicitly distinguished between requirements, mandating the submission of an original copy for certain documents while permitting photocopies for others. Secretary Johnson further noted that while an official appeal process is not currently in place,



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impacted voters may resolve their status by submitting a new voter registration form containing the required information or documentation. She suggested that the League of Women Voters, along with other concerned organizations, consider seeking legislative amendments during the 2027 legislative session if they wish to alter the current statutory requirements.

Roll Call Vote to Dismiss: Yes; (5) Hoffman, Howard, Matsuda, McGregor, Johnson. No; (2) Alberty, Franzen. Ayes carried.

General Remarks: Secretary Johnson thanked everyone for reconvening.

Lindley Howard noted that while there was merit to several items in the petition, she agreed with McGregor's statutory interpretation that this petition was likely not the correct legal avenue. Howard added that, in her experience, voters are rarely unwilling or unable to provide proof of citizenship; rather, they simply do not know it is a requirement. Howard emphasized that these requirements should be clearly and explicitly outlined on the voter registration form itself, so applicants are fully aware of what is expected.

Kent Alberty expressed disappointment and frustration regarding the administrative handling and timing of the motion to dismiss. He noted that although the broader issue had been ongoing, the motion to dismiss did not allow for the board members to review and understand the legalities of the technicality.

Kristen Matsuda acknowledged receiving roughly 27 public comments in advance of the continued hearing, noting that approximately 25 of them expressed strong support for the recently enacted legislation (SB 175) and urged the board not to alter or dilute the legislature's work. Matsuda agreed with the legislative intent, stating that a reasonable minimum standard is necessary to preserve uniformity and consistency for South Dakota voters. She concluded by noting that regardless of when individual revelations or documents came to light, the rules remain unchanged, and she appreciated the day's session for providing further clarity on the board's meeting protocols.

Adjournment: Secretary Johnson requested a motion to adjourn. Matsuda motioned and was seconded by Hoffman. Meeting adjourned at 2:10 PM CST.