



SOUTH DAKOTA REGISTER

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Volume 46

Tuesday, 8:00 a.m., November 12, 2019

FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

Petition for Rules

The **Department of Game, Fish and Parks** on November 5, 2019, served petitions to amend administrative rules regarding fish limits for flathead catfish and the way preference points are calculated for the Custer State Park Elk Hunting Season. The [Game, Fish and Parks Commission](#) reviewed the petitions at its November 7, 2019, meeting.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Final Administrative Rules

[DEPARTMENT OF SOCIAL SERVICES](#): 67:16:29:04.01; 67:16:39:07.

History/Notice: Reverted by Interim Rules Review Committee on September 9, 2019

Hearing: November 4, 2019

Filed: November 4, 2019

Effective: November 25, 2019

[DEPARTMENT OF TRANSPORTATION](#): 70:01:02:32; 70:03:01:65; 70:15:01:01 through 70:15:01:13.

History/Notice: 46 SDR 54, October 7, 2019

Hearing: October 24, 2019

Filed: November 4, 2019

Effective: November 25, 2019

[SOUTH DAKOTA BOARD OF BARBER EXAMINERS \(DEPARTMENT OF LABOR AND REGULATION\)](#): 20:39:02:01, 20:39:02:02, 20:39:02:01, 20:39:02:03, 20:39:02:04; 20:39:03:01, 20:39:03:01.01, 20:39:03:02, 20:39:03:03, 20:39:03:04, 20:39:03:05, 20:39:03:06.

History/Notice: 46 SDR 49, September 30, 2019

Hearing: October 21, 2019

Filed: November 4, 2019

Effective: November 25, 2019

[SOUTH DAKOTA BOARD OF MINERALS AND ENVIRONMENT \(DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES\)](#): 74:36:01:01, 74:36:01:05, 74:36:01:19, 74:36:01:20; 74:36:02:02, 74:36:02:03, 74:36:02:04, 74:36:02:05; 74:36:03:01, 74:36:03:02; 74:36:05:04, 74:36:05:16.01; 74:36:07:01 through 74:36:07:07.01, 74:36:07:09, 74:36:07:10, 74:36:07:12 through 74:36:07:28, 74:36:07:31 through 74:36:07:147; 74:36:08:01 through 74:36:08:130; 74:36:09:02, 74:36:09:03; 74:36:10:02, 74:36:10:03.01, 74:36:10:05, 74:36:10:07, 74:36:10:08; 74:36:11:01; 74:36:12:01, 74:36:12:03;

74:36:13:02, 74:36:13:03, 74:36:13:04, 74:36:13:06, 74:36:13:07, 74:36:13:08; 74:36:16:01 through 74:36:16:05; 74:36:18:10; 74:36:20:05; 74:36:21:02, 74:36:21:04, 74:36:21:05, 74:36:21:09.

History/Notice: 46 SDR 39, September 16, 2019

Hearing: October 17, 2019

Filed: November 5, 2019

Effective: November 25, 2019

DIVISION OF INSURANCE (DEPARTMENT OF LABOR AND REGULATION): 20:06:18:07, 20:06:18:08.

History/Notice: 46 SDR 45, September 23, 2019

Hearing: October 11, 2019

Filed: November 5, 2019

Effective: November 25, 2019

DEPARTMENT OF HEALTH: 44:12:01:01 through 44:12:01:35.

History/Notice: 46 SDR 26, August 19, 2019

Hearing: September 23, 2019

Filed: November 6, 2019

Effective: November 26, 2019

DEPARTMENT OF HEALTH: 44:59:01:01, 44:59:01:04, 44:59:01:05, 44:59:01:06, 44:59:01:07, 44:59:01:08.

History/Notice: 46 SDR 29, August 26, 2019

Hearing: September 23, 2019

Filed: November 6, 2019

Effective: November 26, 2019

DEPARTMENT OF HEALTH: 44:70:01:01, 44:70:01:02, 44:70:01:05, 44:70:01:07, 44:70:01:08, 44:70:01:09; 44:70:02:02, 44:70:02:03, 44:70:02:08, 44:70:02:10, 44:70:02:11, 44:70:02:17; 44:70:03:01, 44:70:03:02, 44:70:03:02.01, 44:70:03:03, 44:70:03:04; 44:70:04:02, 44:70:04:04, 44:70:04:07, 44:70:04:08, 44:70:04:10, 44:70:04:12, 44:70:04:13, 44:70:04:13.01, 44:70:04:14, 44:70:04:16, 44:70:04:18; 44:70:05:01, 44:70:05:02, 44:70:05:03, 44:70:05:04, 44:70:05:05, 44:70:05:06, 44:70:05:07; 44:70:06:02, 44:70:06:03, 44:70:06:05, 44:70:06:06, 44:70:06:07, 44:70:06:09, 44:70:06:10, 44:70:06:11, 44:70:06:14, 44:70:06:15, 44:70:06:17, 44:70:06:18; 44:70:07:01, 44:70:07:03, 44:70:07:05 through 44:70:07:08, 44:70:07:09; 44:70:08:03 through 44:70:08:06; 44:70:09:02, 44:70:09:03, 44:70:09:04, 44:70:09:07, 44:70:09:08, 44:70:09:10, 44:70:09:11 through 44:70:09:14; 44:70:10:01 through 44:70:10:05, 44:70:10:09, 44:70:10:10, 44:70:10:12, 44:70:10:15, 44:70:10:16, 44:70:10:20 through 44:70:10:23, 44:70:10:25, 44:70:10:26, 44:70:10:27, 44:70:10:29, 44:70:10:30, 44:70:10:36, 44:70:10:37, 44:70:10:38.

History/Notice: 46 SDR 41, September 16, 2019

Hearing: October 15, 2019

Filed: November 6, 2019

Effective: November 26, 2019

DEPARTMENT OF HEALTH: 44:67:04:12.

History/Notice: 46 SDR 40, September 16, 2019

Hearing: October 15, 2019

Filed: November 6, 2019

Effective: November 26, 2019

DEPARTMENT OF REVENUE: 64:80:01:01; 64:80:02:01, 64:80:02:02; 64:80:03:01, 64:80:03:02, 64:80:03:03, 64:80:03:04, 64:80:03:05, 64:80:03:06, 64:80:03:07, 64:80:03:08, 64:80:03:09; 64:80:04:01, 64:80:04:02, 64:80:04:03, 64:80:04:04; 64:80:05:01, 64:80:05:02, 64:80:05:03, 64:80:05:04, 64:80:05:05, 64:80:05:06; 64:80:06:01.

History/Notice: 46 SDR 32, September 3, 2019

Hearing: October 1, 2019

Filed: November 6, 2019

Effective: November 26, 2019

DEPARTMENT OF REVENUE: 64:26:02:12.

History/Notice: 46 SDR 45, September 23, 2019

Hearing: October 10, 2019

Filed: November 6, 2019

Effective: November 26, 2019

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES: 74:21:02:40, 74:21:02:52.

History/Notice: 46 SDR 20, August 5, 2019

Hearing: September 10, 2019

Filed: November 7, 2019

Effective: November 27, 2019

DIVISION OF DEVELOPMENTAL DISABILITIES (DEPARTMENT OF HUMAN SERVICES): 46:04:01:03.01, 46:0:0:16, 46:04:01:18, 46:04:01:27; 46:11:04:15.01, 46:11:04:15.03; 46:11:05:03; 46:11:08:03; 46:11:09:02, 46:11:09:11; 46:11:10:03, 46:11:10:05, 46:11:10:06, 46:11:10:07, 46:11:10:08, 46:11:10:09, 46:11:10:11, 46:11:10:12, 46:11:10:13, 46:11:10:15.

History/Notice: 46 SDR 39, September 16, 2019

Hearing: October 10, 2019

Filed: November 7, 2019

Effective: November 27, 2019

SOUTH DAKOTA LOTTERY (DEPARTMENT OF REVENUE): 48:02:08:09.

History/Notice: 46 SDR 25, August 19, 2019

Hearing: September 12, 2019

Filed: November 7, 2019

Effective: November 27, 2019

SOUTH DAKOTA REAL ESTATE COMMISSION (DEPARTMENT OF LABOR AND REGULATION): 20:69:18:01.

History/Notice: 46 SDR 50, September 30, 2019

Hearing: October 23, 2019

Filed: November 8, 2019

Effective: November 28, 2019

Executive Appointments

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeding</u>	<u>Effective/End Date</u>
South Dakota Board of Nursing Darlene Bergeleen Wessington Springs	Governor	Reappointed	10/31/2019 – 10/30/2022
Animal Industry Board Lynn D. Boadwine Baltic	Governor	Reappointed	10/31/2019 – 10/30/2022
South Dakota Board of Nursing Carla J. Borchardt Sioux Falls	Governor	Reappointed	10/31/2019 – 10/30/2022
State Board of Funeral Service Randy Brennick Sturgis	Governor	Reappointed	10/31/2019 – 10/30/2022
South Dakota Board of Accountancy Diedre Budahl Rapid City	Governor	Reappointed	10/31/2019 – 10/30/2022
Board of Examiners for Counselors and Marriage and Family Therapists Tiffany Butler Lennox	Governor	Reappointed	10/31/2019 – 10/30/2022
South Dakota State Railroad Board Jerry Cope Rapid City	Governor	Reappointed	10/31/2019 – 10/30/2022
Council of Juvenile Services Kimberly J. Cournoyer Sioux Falls	Governor	Reappointed	10/31/2019 – 10/30/2022
Behavioral Health Advisory Council Angie Dammer Sioux Falls	Governor	Daniele Dosch	10/31/2019 – 10/30/2022
South Dakota Board of Technical Education Doug Ekeren Yankton	Governor	Reappointed	11/1/2019 – 10/31/2022

Board of Massage TherapyChristine A. Ellwein
Fort Pierre

Governor

Reappointed

10/31/2019 – 10/30/2022

**Board of Economic
Development**David Emery
Rapid City

Governor

Dale Clement

10/15/2019 – 4/19/2021

**South Dakota Board of
Technical Education**Bob Faehn
Watertown

Governor

Reappointed

11/1/2019 – 10/31/2022

**Abstracters' Board
of Examiners**Terra Fischer
Pierre

Governor

Kara Semmler

10/15/2019 – 4/1/2021

Board of Internal ControlHeather Forney
Pierre

Governor

Monte Kramer

10/15/2019

**Council of Economic
Advisors**Carla Gatzke
Brookings

Governor

David Sweet

10/8/2019 – 6/30/2021

**Behavioral Health
Advisory Council**Matt Glanzer
Sioux Falls

Governor

LeLewis Gipp

10/31/2019 – 10/30/2022

**Behavioral Health
Advisory Council**Bryan Harberts
Sioux Falls

Governor

Reappointed

10/31/2019 – 10/30/2022

**Workers' Compensation
Advisory Council**Russ Hohn
Blunt

Governor

Reappointed

10/31/2019 – 10/30/2022

**Board of Addiction and
Prevention Professionals**Kristi Jacobsma
Sioux Falls

Governor

Diane Sevensing

10/31/2019 – 10/30/2022

**Behavioral Health
Advisory Council**Katherine Jaeger
Dakota Dunes

Governor

Reappointed

10/31/2019 – 10/30/2022

**Wheat Utilization Research
and Marketing Development
Commission**

 Bryan Jorgensen
Ideal

Governor

Chet Edinger

10/31/2019 – 10/30/2022

**South Dakota Economic
Development Finance
Authority Board of Directors**

 Matt Judson
Pierre

Governor

Terry Nelson

10/15/2019 – 6/30/2020

**South Dakota Crime Victims'
Compensation Commission**

 Rebecca Kiesow-Knudsen
Sioux Falls

Governor

Reappointed

10/31/2019 – 10/30/2022

**South Dakota State
Railroad Board**

 Jon Kirby
Sioux Falls

Governor

Reappointed

10/31/2019 – 10/30/2022

**Board of Examiners for
Counselors and Marriage
and Family Therapists**

 Roswitha M. Konz
Mitchell

Governor

Reappointed

10/31/2019 – 10/30/2022

State Board of Pharmacy

 Cheri Kraemer
Sioux Falls

Governor

Lisa Rave

10/2/2019 – 10/1/2022

**Visitation Grant
Advisory Group**

 Tascha Lamb
Pierre

Governor

Gregory Dean

10/15/2019 – 6/30/2022

**State Board of Medical
and Osteopathic Examiners**

 Laurie Landeen
Sioux Falls

Governor

Reappointed

10/31/2019 – 10/30/2022

Council of Juvenile Services

 Angela Lisburg
Pierre

Governor

Keith Bonenberger

10/31/2019 – 10/30/2022

State Library Board

 Monte Loos
Rapid City

Governor

Reappointed

10/31/2019 – 10/30/2022

**South Dakota
Aeronautics Commission**

 Dave Luers
Pierre

Governor

Reappointed

10/31/2019 – 10/30/2022

**American Dairy Association
of South Dakota**

Kim Maher Lake Norden	Governor	Reappointed	10/31/2019 – 10/30/2022
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**Fire Marshal's
Advisory Board**

Calen Maningas Rapid City	Governor	Reappointed	10/15/2019 – 4/12/2022
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**South Dakota Board
of Nursing**

Christi McArthur Summerset	Governor	Kristin Possehl	10/31/2019 – 10/30/2022
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Council of Juvenile Services

Sara McGregor-Okroi Sisseton	Governor	Reappointed	10/31/2019 – 10/30/2022
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**Statewide One-Call
Notification Center Board**

Steve Mohr Sioux Falls	Governor	Erin Hayes	11/1/2019 – 10/31/2022
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Board of Massage Therapy

Bridget J. Myers Sioux Falls	Governor	Reappointed	10/31/2019 – 10/30/2022
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**South Dakota
Aeronautics Commission**

Kassidy Nelson Aberdeen	Governor	Reappointed	10/31/2019 – 10/30/2022
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State Library Board

Jane Norling Beresford	Governor	Trista Friman	10/31/2019 – 10/30/2022
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**South Dakota Board of
Hearing Aid Dispensers
and Audiologists**

Ann Oldenkamp Spearfish	Governor	Reappointed	10/31/2019 – 10/30/2022
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Council of Juvenile Services

Elizabeth O'Toole Sioux Falls	Governor	Reappointed	10/31/2019 – 10/30/2022
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**South Dakota Public Safety
Communications Council**

James Pearson Agency Village	Governor	Christopher Saunsoci	10/15/2019 – 6/30/2022
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**South Dakota Board of
Technical Education**

Scott Peterson	Governor	Reappointed	11/1/2019 – 10/31/2022
Belle Fourche			

**Board of Social Work
Examiners**

Abby Rehorst	Governor	David Nielson	10/31/2019 – 10/30/2022
Spearfish			

**Behavioral Health
Advisory Council**

Linda Reidt-Kilbur	Governor	Susan Sandgren	10/31/2019 – 10/30/2022
Rapid City			

State Board of Dentistry

Nick Renemans	Governor	Reappointed	10/31/2019 – 10/30/2022
Pierre			

**Board of Examiners for
Counselors and Marriage
and Family Therapists**

Lynell M. Rice-Brinkworth	Governor	Reappointed	10/31/2019 – 10/30/2022
Black Hawk			

**Board of Examiners
of Psychologists**

Brian Roegiers	Governor	Abby Rehorst	10/15/2019 – 10/30/2020
Sioux Falls			

Animal Industry Board

Steven R. Rommereim	Governor	Reappointed	10/31/2019 – 10/30/2022
Alcester			

**Board of Certified
Professional Midwives**

Susan Rooks	Governor	Reappointed	10/31/2019 – 10/30/2022
Oral			

**Wheat Utilization Research
and Marketing Development
Commission**

Julian Roseth	Governor	Clint Vanneman	10/31/2019 – 10/30/2022
Midland			

Council of Juvenile Services

Tierney Scoblic	Governor	Tanaih Apple	10/31/2019 – 10/30/2022
Vermillion			

**South Dakota Retirement
System Board of Trustees**

Darin Seeley	Governor	Laurie Gill	10/11/2019
Pierre			

**American Dairy Association
of South Dakota**

Annelies Seffrood Summit	Governor	Reappointed	10/31/2019 – 10/30/2022
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**Behavioral Health
Advisory Council**

Karen Severns Aberdeen	Governor	Emily Williams	10/15/2019
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**State Board of Medical and
Osteopathic Examiners**

Aaron Shives Watertown	Governor	Elmo Rosario	10/31/2019 – 10/30/2022
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**South Dakota Board
on Geographic Names**

Pat Snyder Pierre	Governor	Brian Gustafson	10/15/2019
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State Board of Pharmacy

Dan Somsen Yankton	Governor	Reappointed	10/02/2019 – 10/1/2022
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**Workers' Compensation
Advisory Council**

Randy Stainbrook Rapid City	Governor	Reappointed	10/31/2019 – 10/30/2022
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**State Board of
Podiatry Examiners**

Carolyn K. Stansberry St. Onge	Governor	Reappointed	10/31/2019 – 10/30/2022
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**South Dakota Board
of Accountancy**

Jeff Strand Sioux Falls	Governor	Reappointed	10/31/2019 – 10/30/2022
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Board of Massage Therapy

Alvin Trace Hermosa	Governor	Natalie Marsh	10/15/2019 – 10/30/2020
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**State Board of Medical and
Osteopathic Examiners**

Suzanne Veenis Sioux Falls	Governor	Nancy Turbak Berry	10/31/2019 – 10/30/2022
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**Behavioral Health
Advisory Council**

Eric Weiss Pierre	Governor	Bernie Grimme	10/15/2019
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State Banking CommissionRichard Westra
Aberdeen

Governor

Reappointed

10/31/2019 – 10/30/2022

**South Dakota Public Safety
Communications Council**John Wiik
Big Stone City

Governor

Justin Cronin

10/15/2019 – 6/30/2021

Board of Barber ExaminersKristy Wright
Redfield

Governor

Reappointed

10/31/2019 – 10/30/2022

SCHEDULED PUBLIC HEARINGS

2-11-2020	February 2020 Rules Hearing: A Supreme Court Rules Hearing will be held in the Courtroom of the Supreme Court, State Capitol, 500 East Capitol Avenue, Pierre, South Dakota on February 11, 2020, at 11:00 a.m. CT. An original and five copies of proposals for amendment or adoption of rules should be filed with the Clerk of the Supreme Court no later than December 6, 2019. Submitters must comply with SDCL 16-3-5.1 when submitting proposals; 46 SDR 57, October 15, 2019.
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RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee has completed their meeting schedule for the 2019 Interim. Watch for notices of 2020 meetings in this publication, on the [LRC website](#), and at the Capitol.

The Drafting Manual for Administrative Rules in South Dakota is available on the [Administrative Rules Manual page](#) of the LRC website.