

# REGISTER



## South Dakota Legislative Research Council

Volume 45

Monday, 8:00 a.m., December 3, 2018

**GET COPIES OF PROPOSED RULES AND OTHER INFORMATION AT NO CHARGE** at <https://rules.sd.gov> or by contacting the agency directly via the means outlined in their notice of hearing.

**FILINGS IN THE LEGISLATIVE RESEARCH COUNCIL'S OFFICE:**  
(None)

**FILINGS IN THE SECRETARY OF STATE'S OFFICE:**

**DEPARTMENT OF HEALTH:  
SOUTH DAKOTA BOARD OF  
PODIATRY EXAMINERS:** 20:55:01:08;  
20:55:02:02, 20:55:02:03, 20:55:02:04,  
20:55:02:06; 20:55:03:02, 20:55:03:03,  
20:55:03:05; 20:55:04:01; 20:55:05:01,  
20:55:05:03, 20:55:05:04; 20:55:06:02.

History-Notice: 45 SDR 44, Sept. 24, 2018  
Hearing: October 19, 2018  
Filed: November 20, 2018  
Effective: December 10, 2018

**DEPARTMENT OF SOCIAL SERVICES:**  
67:11:01:03; 67:16:25:04, 67:16:25:06.01;  
67:16:41:01, 67:16:41:02, 67:16:41:03,  
67:16:41:09, 67:16:41:10; 67:42:03:07.06;  
67:42:10:06.01, 67:42:10:09; 67:42:14:12;  
67:46:05:08, 67:46:05:54; 67:46:07:03;  
67:46:11:10; 67:47:01:08.01, 67:47:01:09,  
67:47:01:09.01, 67:47:01:10, 67:47:01:10.02,  
67:47:01:11.01, 67:47:01:13.01, 67:47:01:19;  
67:54:04:06, 67:54:04:18.01; 67:54:09:12.

History-Notice: 45 SDR 49, October 1, 2018  
Hearing: October 19, 2018  
Filed: November 20, 2018  
Effective: December 10, 2018

**DEPARTMENT OF SOCIAL SERVICES:  
BOARD OF SOCIAL WORK  
EXAMINERS:** 20:59:01:01, 20:59:01:04.01;  
20:59:04:01.01, 20:59:04:07, 20:59:04:09;  
20:59:05:01, 20:59:05:09.

History-Notice: 45 SDR 43, Sept. 24, 2018  
Hearing: October 15, 2018  
Filed: November 20, 2018  
Effective: December 10, 2018

**DEPARTMENT OF AGRICULTURE:  
SOUTH DAKOTA ANIMAL INDUSTRY  
BOARD:** 12:68:01:01; 12:68:03:11;  
12:68:04:01.01, 12:68:04:02, 12:68:04:03,  
12:68:04:04, 12:68:04:05, 12:68:04:06,  
12:68:04:07, 12:68:04:08, 12:68:04:09,  
12:68:04:10, 12:68:04:11, 12:68:04:12,  
12:68:04:13, 12:68:04:14, 12:68:04:15,  
12:68:04:16, 12:68:04:17, 12:68:04:18,  
12:68:04:19, 12:68:04:20, 12:68:04:21,  
12:68:04:23, 12:68:04:24, 12:68:04:25,  
12:68:04:26, 12:68:04:27, 12:68:04:28,  
12:68:04:29, 12:68:04:30, 12:68:04:31,  
12:68:04:32, 12:68:04:33, 12:68:04:34,  
12:68:04:35, 12:68:04:37; 12:68:05:01,  
12:68:05:02, 12:68:05:02.01, 12:68:05:02.02,  
12:68:05:03, 12:68:05:05, 12:68:05:06,  
12:68:05:07; 12:68:10:01, 12:68:10:02,  
12:68:10:03; 12:68:14:01; 12:68:15:10,  
12:68:15:11; 12:68:18:04, 12:68:18:06,  
12:68:18:07; 12:68:19:06; 12:68:21:02;  
12:68:22:02; 12:68:23:02; 12:68:24:01,  
12:68:24:03, 12:68:24:07, 12:68:24:09,  
12:68:24:11, 12:68:24:12, 12:68:24:13,  
12:68:24:16; 12:68:28:04; 12:68:29:01,  
12:68:29:02, 12:68:29:03, 12:68:29:04,  
12:68:29:05, 12:68:29:06, 12:68:29:07,  
12:68:29:08, 12:68:29:09, 12:68:29:10,  
and 12:68:29:11.

History-Notice: 45 SDR 55, October 9, 2018  
Hearing: November 1, 2018  
Filed: November 21, 2018  
Effective: December 11, 2018

Filed: November 27, 2018  
Effective: December 17, 2018

**DEPARTMENT OF LABOR AND  
REGULATION: SOUTH DAKOTA  
COSMETOLOGY COMMISSION:**  
20:42:03:03.

**DEPARTMENT OF HEALTH:**  
44:20:01:04, 44:20:01:06; 44:20:02:06.

History-Notice: 45 SDR 64, Oct. 22, 2018  
Hearing: November 5, 2018  
Filed: November 21, 2018  
Effective: December 11, 2018

History-Notice: 45 SDR 48, October 1, 2018  
Hearing: October 22, 2018  
Filed: November 27, 2018  
Effective: December 17, 2018

**DEPARTMENT OF REVENUE: SOUTH  
DAKOTA COMMISSION ON GAMING:**  
20:18:15:30.18.

**DEPARTMENT OF HUMAN SERVICES:**  
46:11:08:01; 46:11:11:02, 46:11:11:03.

History-Notice: 45 SDR 64, Oct. 22, 2018  
Hearing: November 15, 2018  
Filed: November 21, 2018  
Effective: December 11, 2018

History-Notice: 45 SDR 40, Sept. 17, 2018  
Hearing: October 17, 2018  
Filed: November 27, 2018  
Effective: December 17, 2018

**DEPARTMENT OF TRANSPORTATION:**  
70:01:02:05.

**DEPARTMENT OF HEALTH:  
SOUTH DAKOTA BOARD OF MASSAGE  
THERAPY: 20:76:02:02.**

History-Notice: 45 SDR 34, Sept. 4, 2018  
Hearing: September 24, 2018  
Filed: November 26, 2018  
Effective: December 17, 2018

History-Notice: 45 SDR 56, October 9, 2018  
Hearing: October 23, 2018  
Filed: November 28, 2018  
Effective: December 18, 2018

**DEPARTMENT OF TRANSPORTATION:**  
70:01:02:12.

**DEPARTMENT OF REVENUE:**  
61:24:02:03; 61:24:03:12; 64:09:01:08;  
64:28:10:01; 64:29:02:04.03; 64:75:01:01,  
64:75:01:02, 64:75:01:03, 64:75:01:04,  
64:75:01:05, 64:75:01:06, 64:75:01:07,  
64:75:01:08, 64:75:01:09; 64:75:02:01,  
64:75:02:04, 64:75:02:05, 64:75:02:07,  
64:75:02:08; 64:75:03:01, 64:75:03:14,  
64:75:03:15; 64:75:04:01, 64:75:04:02,  
64:75:04:06, 64:75:04:11, 64:75:04:12,  
64:75:04:13, 64:75:04:14, 64:75:04:17,  
64:75:04:18, 64:75:04:19, 64:75:04:21,  
64:75:04:23, 64:75:04:24, 64:75:04:25,  
64:75:04:26; 64:75:05:04, 64:75:05:05,  
64:75:05:08, 64:75:05:09; 64:75:06:04,  
64:75:06:05, 64:75:06:06, 64:75:06:08;  
64:75:07:01; 64:75:08:01, 64:75:08:02,  
64:75:08:03, 64:75:08:04, 64:75:08:05,  
64:75:08:07, 64:75:08:08, 64:75:08:09,  
64:75:08:10, 64:75:08:11.

History-Notice: 45 SDR 48, October 1, 2018  
Hearing: October 25, 2018  
Filed: November 26, 2018  
Effective: December 17, 2018

**BUREAU OF HUMAN RESOURCES:  
CIVIL SERVICE COMMISSION:**  
55:09:01:01; 55:10:05:02, 55:10:05:06;  
55:10:11:18.

History-Notice: 45 SDR 48, October 1, 2018  
Hearing: October 29, 2018

History-Notice: 45 SDR 56, October 9, 2018  
Hearing: November 1, 2018  
Filed: November 28, 2018  
Effective: December 18, 2018

Filed: November 29, 2018  
Effective: December 19, 2018

**OFFICE OF THE ATTORNEY  
GENERAL: LAW ENFORCEMENT  
OFFICERS STANDARDS AND  
TRAINING COMMISSION: 2:01:10:02.**

History-Notice: 45 SDR 56, October 9, 2018  
Hearing: November 7, 2018  
Filed: November 28, 2018  
Effective: December 18, 2018

**DEPARTMENT OF LABOR AND  
REGULATION: SOUTH DAKOTA  
BOARD OF ACCOUNTANCY:**

20:75:01:07; 20:75:04:00, 20:75:04:01,  
20:75:04:05, 20:75:04:13, 20:75:04:15,  
20:75:04:17, 20:75:04:18, 20:75:04:22;  
20:75:05:01, 20:75:05:05, 20:75:05:07,  
20:75:05:08, 20:75:05:17; 20:75:07:01,  
20:75:07:02, 20:75:07:06, 20:75:07:07,  
20:75:07:08, 20:75:07:09, 20:75:07:13,  
20:75:07:14, 20:75:07:15, 20:75:07:17,  
20:75:07:18.

**DEPARTMENT OF AGRICULTURE:**

12:51:09:05; 12:51:10:01, 12:51:10:02,  
12:51:10:03, 12:51:10:04, 12:51:10:05,  
12:51:10:06, 12:51:10:07, 12:51:10:08.

History-Notice: 45 SDR 55, October 9, 2018  
Hearing: October 23, 2018  
Filed: November 30, 2018  
Effective: December 20, 2018

History-Notice: 45 SDR 30, August 27, 2018  
Hearing: October 2, 2018  
Filed: November 29, 2018  
Effective: December 19, 2018

**NOTE REGARDING ADOPTED RULES:**

The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Revenue, and the Department of Labor and Regulation for Article 47:03.

**DEPARTMENT OF EDUCATION:  
BOARD OF EDUCATION STANDARDS:**

24:28:01:01; 24:28:09:01, 24:28:09:04,  
24:28:09:28, 24:28:09:29, 24:28:09:30,  
24:28:09:31, 24:28:09:32; 24:28:17:25,  
24:28:17:26.

History-Notice: 45 SDR 30, August 27, 2018  
Hearing: September 17, 2018

**REMINDER OF HEARINGS SCHEDULED**

<b>12-5-2018</b>	<b>Department of Education: South Dakota Board of Technical Education:</b> Amend rules to update the general education requirements that must be included in an associate of applied science degree program; update the yearly facility fund and National Guard tuition benefit fund set-asides from the total state appropriation; and update the yearly per student allocation appropriated by the South Dakota Legislature in the postsecondary technical institute funding formula; 45 SDR 78, November 19, 2018.
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## **RULES REVIEW COMMITTEE MEETINGS**

The Interim Rules Review Committee has completed their meeting schedule for the 2018 Interim. Watch for notices of 2019 meetings in this publication, on the LRC website, and at the Capitol.

**Note:** An updated version of the Administrative Rules Guide to Form and Style is available on the LRC website at <http://www.sdlegislature.gov/Rules/RulesManual.aspx>.