

# REGISTER



*South Dakota Legislative Research Council*

*Volume 31*

*Tuesday, 8:00 a.m., January 18, 2005*

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**NOTICES OF PROPOSED RULES:** (None)

**NOTICE:**

The **South Dakota Lottery** is ending instant ticket game number 183 – Money Maze. The last day that prizes will be paid for the game is July 10, 2005.

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

**BUREAU OF PERSONNEL: CAREER SERVICE COMMISSION:** 55:01:22:14.

History-Notice: 31 SDR 75, Nov. 15, 2004  
Hearing: December 2, 2004  
Filed: January 10, 2005  
Effective: January 30, 2005

**BUREAU OF PERSONNEL:** 55:05:02:02.

History-Notice: 31 SDR 80, Nov. 22, 2004  
Hearing: December 17, 2004  
Filed: January 10, 2005  
Effective: January 30, 2005

**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES: BOARD OF MINERALS AND ENVIRONMENT:**

74:27:22:03 and 74:27:22:04.

History-Notice: 31 SDR 75, Nov. 15, 2004  
Hearing: December 16, 2004  
Filed: January 11, 2005  
Effective: January 31, 2005

**DEPARTMENT OF SOCIAL SERVICES: OFFICE OF MEDICAL SERVICES:**

67:16:03:01, 67:16:03:06.01, and 67:16:03:06.04.

History-Notice: 31 SDR 79, Nov. 22, 2004  
Hearing: December 9, 2004  
Filed: January 12, 2005  
Effective: February 1, 2005

**DEPARTMENT OF SOCIAL SERVICES: OFFICE OF FOOD STAMPS:** 67:13:01:02, 67:13:01:05, 67:13:01:06, and 67:13:01:17.

History-Notice: 31 SDR 79, Nov. 22, 2004  
Hearing: December 9, 2004  
Filed: January 12, 2005  
Effective: February 1, 2005

**DEPARTMENT OF SOCIAL SERVICES: OFFICE OF MEDICAL SERVICES:**

67:46:04:13; 67:46:05:09, 67:46:05:09.02, 67:46:05:32.05, 67:46:05:33.01; 67:46:07:03, 67:46:07:12; 67:46:12:03, 67:46:12:04, 67:46:12:05, and 67:46:12:09.

History-Notice: 31 SDR 80, Nov. 22, 2004  
Hearing: December 17, 2004  
Filed: January 12, 2005  
Effective: February 1, 2005

**DEPARTMENT OF SOCIAL SERVICES: OFFICE OF FOOD STAMPS:** 67:57:01:01 to 67:57:01:18, inclusive.

History-Notice: 31 SDR 80, Nov. 22, 2004  
Hearing: December 17, 2004  
Filed: January 12, 2005  
Effective: February 1, 2005

**Executive Appointments:**

**Jim Denevan**, Sioux Falls, was reappointed on January 6, 2005, to the **South Dakota Professional Administrators Practices and Standards Commission**, effective immediately and shall continue until December 31, 2007.

**Robin Hattervig**, Howard, was appointed on January 6, 2005, to the **State Board of Dentistry**, effective immediately and shall continue until July 1, 2009.

**Rebecca Lamb**, Onida, was appointed on January 6, 2005, to the **South Dakota Professional Teachers Practices and Standards Commission**, effective immediately and shall continue until December 31, 2006.

The following were appointed on January 6, 2005, to the **Governor's Red Tape Task Force**, effective December 17, 2004, and shall continue until December 31, 2006:

**Dave Bozied**, Sioux Falls

**Duane Butt**, Pierre

**Bob Demersseman**, Rapid City

**Jeff Fox**, Sioux Falls

**Dick Gregerson**, Sioux Falls

**Jim Hagen**, Pierre

**Jim Hill**, Watertown

**Boyd Hopkins**, Sioux Falls

**Julie Johnson**, Pierre

**John Lillibridge**, Burke

**Mark Meierhenry**, Sioux Falls

**Dan Noteboom**, Corsica

**Robert Riter**, Pierre

**Darla Rogers**, Pierre

**Tyler Stowater**, Sioux Falls

**Jerry Thomsen**, Mitchell

**Brad Wheeler**, Lemmon

**Jim Wilcox**, Sioux Falls

**Wayne Bunge**, Rapid City, was appointed on January 10, 2005, to the **State Conservation Commission**, to replace Jim Rarick, effective January 2, 2005, and shall continue until January 1, 2008.

**Owen Emme**, Rapid City, was appointed on January 10, 2005, to the **Governor's Red Tape Task Force**, effective January 6, 2005, and shall continue until December 31, 2006.

**Erin Horstmeyer**, Sioux Falls, was appointed on January 10, 2005, to the **South Dakota Interagency Coordinating Council**, to replace Misty Miller, effective immediately and shall continue until December 31, 2005.

**Harvey C. Jewett, IV**, Aberdeen, was reappointed on January 10, 2005, to the **State Board of Regents**, effective March 31, 2005, and shall continue until March 31, 2011.

**Michael Klimisch**, Sioux Falls, was appointed on January 10, 2005, to the **Board of Service to the Blind and Visually Impaired**, to replace Denise Jones DeJong, effective immediately and shall continue until June 30, 2007.

**Jim Lampy**, Rapid City, was appointed on January 10, 2005, to the **Governor's Red Tape Task Force**, effective January 6, 2005, and shall continue until December 31, 2006.

**Betty Ochsner**, Aberdeen, was appointed on January 10, 2005, to the **South Dakota Academic Achievement Test Advisory Council**, to replace Dr. Patti Berg, effective immediately and shall continue until July 1, 2006.

**Mutch Usera**, Rapid City, was appointed on January 10, 2005, to the **Governor's Red Tape Task Force**, effective January 6, 2005, and shall continue until December 31, 2006.

**Larry Weires**, Sioux Falls, was appointed on January 10, 2005, to the **State Conservation Commission**, to replace Dave Padgett, effective January 2, 2005, and shall continue until January 1, 2008.

**Raymond W. Carpenter**, Rapid City, was appointed on January 12, 2005, to the position of **Assistant Adjutant General, Army**,

pending approval of the Senate. This appointment is effective March 3, 2005, and shall continue at the pleasure of the Governor.

**DeWayne Glassgow**, New Underwood, was appointed on January 12, 2005, to the **Drug and Alcohol Abuse Advisory Council**, to replace Bonnie Gregorson, effective immediately and shall continue until July 1, 2005.

**Sharon Schueler**, Sioux Falls, was appointed on January 12, 2005, to the **South Dakota Academic Achievement Test Advisory Council**, to replace Dr. Pam Homan, effective immediately and shall continue until July 1, 2006.

#### **Legislative Appointments:**

**Senator Stan Adelstein**, Rapid City, was appointed on January 12, 2005, to the **State-Tribal Relations Committee**, effective immediately and expires on January 1, 2007.

**Senator Jerry Apa**, Lead, was appointed on January 12, 2005, to the **Government Operations and Audit Committee**, effective immediately and expires on December 31, 2006.

**Senator Jerry Apa**, Lead, was appointed on January 12, 2005, to the **Retirement Laws Committee**, effective immediately and expires on December 31, 2006.

**Senator Julie Bartling**, Burke, was appointed on January 12, 2005, to the **State-Tribal Relations Committee**, effective immediately and expires on January 1, 2007.

**Representative Michael Buckingham**, Rapid City, was appointed on January 12, 2005, to the **Government Operations and Audit Committee**, effective immediately and expires on December 31, 2006.

**Senator Thomas Dempster**, Sioux Falls, was appointed on January 12, 2005, to the **State-Tribal Relations Committee**, effective

immediately and expires on January 1, 2007.

**Senator William Earley**, Sioux Falls, was appointed on January 12, 2005, to the **Government Operations and Audit Committee**, effective immediately and expires on December 31, 2006.

**Senator William Earley**, Sioux Falls, was appointed on January 12, 2005, to the **Retirement Laws Committee**, effective immediately and expires on December 31, 2006.

**Representative Burt Elliott**, Aberdeen, was appointed on January 12, 2005, to the **Retirement Laws Committee**, effective immediately and expires on December 31, 2006.

**Senator Jason Gant**, Sioux Falls, was appointed on January 12, 2005, to the **Government Operations and Audit Committee**, effective immediately and expires on December 31, 2006.

**Representative Margaret V. Gillespie**, Hudson, was appointed on January 12, 2005, to the **Government Operations and Audit Committee**, effective immediately and expires on December 31, 2006.

**Senator Bob Gray**, Fort Pierre, was appointed on January 12, 2005, to the **State-Tribal Relations Committee**, effective immediately and expires on January 1, 2007.

**Senator Brock Greenfield**, Clark, was appointed on January 12, 2005, to the **Retirement Laws Committee**, effective immediately and expires on December 31, 2006.

**Paula Jones**, Yankton, was appointed on January 12, 2005, to the **State Board of Elections**, effective February 1, 2005, and expires on January 31, 2009.

**Representative Ted A. Klaudt**, Walker, was appointed on January 12, 2005, to the **Government Operations and Audit**

**Committee**, effective immediately and expires on December 31, 2006.

**Senator Gil Koetzle**, Sioux Falls, was appointed on January 12, 2005, to the **Retirement Laws Committee**, effective immediately and expires on December 31, 2006.

**Senator John Koskan**, Wood, was appointed on January 12, 2005, to the **Government Operations and Audit Committee**, effective immediately and expires on December 31, 2006.

**Representative Gerald F. Lange**, Madison, was appointed on January 12, 2005, to the **Government Operations and Audit Committee**, effective immediately and expires on December 31, 2006.

**Representative Matthew Michels**, Yankton, was appointed on January 12, 2005, to the **Retirement Laws Committee**, effective immediately and expires on December 31, 2006.

**Senator Garry Moore**, Yankton, was appointed on January 12, 2005, to the **Government Operations and Audit Committee**, effective immediately and expires on December 31, 2006.

**Representative Deb Peters**, Sioux Falls, was appointed on January 12, 2005, to the **Government Operations and Audit Committee**, effective immediately and expires on December 31, 2006.

**Representative Elaine Roberts**, Sioux Falls, to the **Retirement Laws Committee**, was

appointed on January 12, 2005, effective immediately and expires on December 31, 2006.

**Representative Tim Rounds**, Pierre, was appointed on January 12, 2005, to the **Retirement Laws Committee**, effective immediately and expires on December 31, 2006.

**Representative Lou Sebert**, Mitchell, was appointed on January 12, 2005, to the **Retirement Laws Committee**, effective immediately and expires on December 31, 2006.

**Senator Dan Sutton**, Flandreau, was appointed on January 12, 2005, to the **Retirement Laws Committee**, effective immediately and expires on December 31, 2006.

**Senator Theresa Two Bulls**, Pine Ridge, was appointed on January 12, 2005, to the **State-Tribal Relations Committee**, effective immediately and expires on January 1, 2007.

**Christopher W. Madsen**, Sioux Falls, was appointed on January 13, 2005, to the **State Board of Elections**, to replace Elizabeth Benning, effective immediately and expires on January 31, 2006.

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed 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 Regulation, and the Department of Labor for Article 47:03.

**REMINDER OF HEARINGS SCHEDULED**

1-24-2005	Education: Professional Administrators Practices and Standards Commission	Amend rules that will place all licensure actions regarding teaching and administrator certificates, licenses, and other credentials incurred in South Dakota on the National Association of State Directors of Teacher Education and Certification database, and to
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		notify other states of certification violations and actions taken against South Dakota certification holders; 31 SDR 97.
1-25-2005	Education: Board of Education	Amend rules to create definitions and define the requirements for the three proposed high school courses of study; allow the department to place all licensure actions regarding teacher certificates, licenses, and other credentials incurred in South Dakota on the National Association of State Directors of Teacher Education and Certification database, and to notify other states of certification violations and actions taken against South Dakota certification holders; reinstate the Business Manager endorsement for the school business official as a voluntary endorsement; allow regular classroom teachers with elementary or secondary degrees obtain a blind and visually impaired endorsement; and allow a student to graduate with preparation in math and either an additional one or two science areas, or a minimum of two science areas; 31 SDR 103.
1-26-2005	Health	Amend rules to expand the number of metabolic tests mandated on all newborns; 31 SDR 93.
1-27-2005	Transportation	Adopt and amend speed zones in Brown, Brule, Day, Marshall, and Union Counties; 31 SDR 103.
2-22-2005	Public Utilities Commission: One-Call Notification Board	Amend rules to improve the efficiencies of the South Dakota One-Call System as identified by the users of the system; 31 SDR 101.

### *Rules Review Committee Meetings*

The Interim Rules Review Committee will have an informal meeting near the close of the Eightieth Legislative Session to set the tentative meeting schedule for the 2005 interim. Watch for a notice of this informal meeting on the LRC Web site and at the Capitol.

**Note:** An updated version of the Administrative Rules Guide to Form and Style is available at the LRC office and on the LRC web site.

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