

REGISTER



South Dakota Legislative Research Council

Volume 44

Monday, 8:00 a.m., July 31, 2017

FILINGS IN THE LEGISLATIVE RESEARCH COUNCIL'S OFFICE:

Notice of Proposed Rules: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Revenue: South Dakota Lottery Commission: (July 24, 2017) intends to amend a rule to increase the price of a Mega Millions play from \$1 to \$2, raise the starting jackpot from \$15 million to \$40 million, reconstruct the game matrix, and allow the Just the Jackpot Promotion for the Mega Millions lotto game; and adopt rules to allow the sale of the Lotto America lotto game. The general authority for these rules, as cited by the commission, is SDCL §§ 42-7A-2 and 42-7A-21.

A public hearing will be held in Room 412, 4th floor, State Capitol, Pierre, South Dakota, on August 24, 2017, at 10:00 a.m. CT. Copies of the proposed rules may be obtained from and written comments sent to the Department of Revenue, Legal Division, 445 East Capitol Avenue, Pierre, SD 57501-3185. Copies of the rules are also available at http://dor.sd.gov/Publications/Public_Notices/PDFs/GameRulesAugust2017.pdf or at <http://rules.sd.gov/>. Material sent by mail must reach the department by August 23, 2017, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-4701 at least 48 hours before the hearing.

Department of Health: State Board of Dentistry: (July 27, 2017) intends to amend rules to update the registration process for dental entities to bring it into compliance with SB 47 and repeal obsolete provisions. The general authority for these rules, as cited by the board is SDCL §§ 36-6A-14, 47-12-1, 47-12-3, 47-12-8, and 47-12-12.

A public hearing will be held in the SD Housing Development Authority Board Room, 3060 E. Elizabeth St., Pierre, South Dakota, on October 20, 2017, at 10:00 a.m. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota State Board of Dentistry, PO Box 1079, Pierre, SD 57501. A copy of the proposed rules is also available on the board's website: <https://www.sdboardofdentistry.com/>. Written comments must reach the board by October 17, 2017, or must be brought to the public hearing to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the board can make arrangements are asked to call (605) 224-1282 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

**OFFICE OF ATTORNEY GENERAL:
LAW ENFORCEMENT OFFICERS
STANDARDS AND TRAINING
COMMISSION:** 2:01:06:02.01.

History-Notice: 43 SDR 169, June 12, 2017
Hearing: June 28, 2017
Filed: July 27, 2017
Effective: August 16, 2017

**DEPARTMENT OF EDUCATION:
SCHOOL FINANCE ACCOUNTABILITY
BOARD:** 24:44:01:01 to 24:44:01:10, inclusive.

History-Notice: 43 SDR 169, June 12, 2017

Hearing: June 29, 2017

Filed: July 19, 2017

Effective: August 8, 2017

Executive Appointments:

Craig Eschenbaum, Aberdeen, was reappointed on July 17, 2017, to the **Independent Living Council**, effective immediately and shall continue until June 30, 2020.

Mark Koterwski, Sioux Falls, was appointed on July 17, 2017, to the **Independent Living Council**, to replace David Miller, effective immediately and shall continue until June 30, 2020.

Gillian Plenty Chief, McLaughlin, was reappointed on July 17, 2017, to the **Independent Living Council**, effective immediately and shall continue until June 30, 2020.

Dianne Baumiller, Parkston, was reappointed on July 18, 2017, to the **Family Support Council**, effective immediately and shall continue until June 30, 2020.

Elizabeth Brown, Clear Lake, was reappointed on July 18, 2017, to the **Family Support Council**, effective immediately and shall continue until June 30, 2020.

Erin Schons, Sioux Falls, was reappointed on July 18, 2017, to the **South Dakota Advisory Panel for Children with Disabilities**, effective immediately and shall continue until June 30, 2020.

Rhiannon L. Town, Roslyn, was reappointed on July 18, 2017, to the **Family Support Council**, effective immediately and shall continue until June 30, 2020.

Tami Francis, Sioux Falls, was appointed on July 19, 2017, to the **Board of Service to the Blind and Visually Impaired**, to replace Bruce Micheel, effective immediately and shall continue until June 30, 2020.

Dave M. Giovannini, Aberdeen, was reappointed on July 19, 2017, to the **South Dakota Workforce Development Council**, effective July 1, 2017 and shall continue until June 30, 2020.

Jill Kundtz, Rapid City, was appointed on July 19, 2017, to the **Board of Service to the Blind and Visually Impaired**, to replace Julie Briggs, effective immediately and shall continue until June 30, 2020.

Lindsey Madsen, Harrisburg, was appointed on July 19, 2017, to the **Family Support Council**, to replace Deborah Docken, effective immediately and shall continue until June 30, 2020.

Christopher Saunsoci, Wagner, was appointed on July 19, 2017, to the **South Dakota Public Safety Communications Council**, to replace Larry Jandreau, effective immediately and shall continue until June 30, 2019.

Randy Stainbrook, Rapid City, was reappointed on July 19, 2017, to the **South Dakota Workforce Development Council**, effective immediately and shall continue until June 30, 2020.

Kelli Anderson, Sioux Falls, was appointed on July 20, 2017, to the **Planning Council on Developmental Disabilities**, to replace Bradley Saathoff, effective immediately and shall continue until June 30, 2020.

Erica Gloor, Sioux Falls, was appointed on July 20, 2017, to the **Planning Council on Developmental Disabilities**, to replace Teresa Geraets, effective immediately and shall continue until June 30, 2020.

Angel Maggard, Pierre, was appointed on July 20, 2017, to the **Planning Council on Developmental Disabilities**, effective immediately and shall continue until June 30, 2020.

Darryl Millner, Pierre, was appointed on July 20, 2017, to the **Planning Council on Developmental Disabilities**, to replace Dan Lusk, effective immediately.

Yvette Thomas, Pierre, was appointed on July 20, 2017, to the **Planning Council on Developmental Disabilities**, effective immediately.

Wendy Trujillo, Pierre, was appointed on July 20, 2017, to the **Planning Council on Developmental Disabilities**, to replace Melissa Flor, effective immediately.

Steve Willard, Belle Fourche, was reappointed on July 20, 2017, to the **Critical Teaching Needs Scholarship Board**, effective immediately and shall continue until June 30, 2020.

Steve Harding, Pierre, was appointed on July 21, 2017, to the **State Capitol Complex Restoration and Beautification Commission**, to replace Patricia Harding, effective immediately and shall continue until June 30, 2021.

Carla A. Sahr, Pierre, was reappointed on July 21, 2017, to the **State Capitol Complex Restoration and Beautification Commission**, effective immediately and shall continue until June 30, 2021.

Rebecca Naser, Sioux Falls, was appointed on July 24, 2017, to the **Planning Council on Developmental Disabilities**, effective immediately and shall continue until June 30, 2020.

Scott Rechtenbaugh, Pierre, was appointed on July 24, 2017, to the **South Dakota Public Safety Communications Council**, to replace Dan Satterlee, effective immediately.

Eric Weiss, Pierre, was appointed on July 25, 2017, to the **Board of Vocational Rehabilitation**, to replace Grady Kickul, effective immediately.

Tami Bern, Clay County, was appointed on July 26, 2017, as **Judge of the First Judicial Court of South Dakota**, filling a vacancy, effective immediately upon taking the oath of office and shall continue until January 1, 2023.

Chris Giles, Lake County, was appointed on July 26, 2017, as **Judge of the First Judicial Court of South Dakota**, filling a vacancy, effective immediately upon taking the oath of office and shall continue until January 1, 2023.

Correction Filed:

Kimberly Holberg Hoberg, Aberdeen, was reappointed on June 22, 2017, to the **Board of Vocational Rehabilitation**, effective July 1, 2017 and shall continue until June 30, 2020.

Note: A copy of the rules may be obtained directly from the above agencies or at <https://rules.sd.gov>. 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

8-11-2017	Department of Agriculture: Division of Agricultural Services Amend rules to change the requirement for testing of lawn seed from every 12 months to every 15 months, require liquid feed manufactures to label the moisture content for feed that contains more than 20% moisture, and repeal rules pertaining to the manufacture of ruminant livestock feed that are unnecessary; 44 SDR 13, July 17, 2017.
8-24-2017	Department of Revenue: South Dakota Lottery Commission Amend rules to increase the price of a Mega Millions' play from \$1 to \$2, raise the starting jackpot from \$15 million to \$40 million, reconstruct the game matrix, and allow the Just the Jackpot Promotion for the Mega Millions lotto game; and adopt rules to allow the sale of the Lotto America lotto game. 44 SDR 21, July 31, 2017.
8-29-2017	Department of Health: Division of Health Systems Development and Regulation Adopt rules to give the department authority to license and regulate community living homes in South Dakota; 44 SDR 17, July 24, 2017.
10-20-2017	Department of Health: State Board of Dentistry Amend rules to update the registration process for dental entities to bring it into compliance with SB 47 and repeal obsolete provisions; 44 SDR 21, July 31, 2017.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on August 22, 2017, in Room 414, Fourth Floor of the State Capitol. The committee chair has set the following meeting schedule for the 2017 interim: September 25, and November 14.

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>.