



SOUTH DAKOTA REGISTER

Published weekly by the Legislative Research Council

Volume 46

Tuesday, 8:00 a.m., September 3, 2019

FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

Notice of Proposed Rules

Date in parentheses indicates when rules were filed with the Legislative Research Council.
Copies of proposed rules may be obtained for no charge at <https://rules.sd.gov> or from the agency directly.

Department of Public Safety: (August 26, 2019) intends to adopt an emergency rule to allow the shipment of ethanol-blended gasoline into the State of South Dakota on and after September 16, 2019. The general authority for this rule, as cited by the department, is SDCL 37-2-6 and 37-2-7.

A copy of the proposed rule may be obtained without charge from the Department of Public Safety, 118 West Capitol Avenue, Pierre, South Dakota 57501. Emergency rules must be filed with the Secretary of State within 30 days of the date of admission to the Legislative Research Council and are effective for 90 days from the date of filing.

Department of Revenue: (August 29, 2019) intends to repeal rules with no legislative authority and no implementation purpose in the codified laws relating to the inheritance tax. The general authority for these rules, as cited by the department, is SDCL 10-41-9.

A public hearing will be held at the Anderson Building, 445 East Capitol Avenue, Pierre, South Dakota, on October 1, 2019, at 9:00 a.m. CT. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Department of Revenue, Legal Division, 445 East Capitol Avenue, Pierre, South Dakota 57501. Copies are also available at <https://rules.sd.gov>. The comment period will close on October 15, 2019. This hearing is being held in a physically accessible location. Persons with special needs for which the department can make arrangements may call (605) 773-4701 at least 48 hours before the public hearing.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Executive Appointments

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeding</u>	<u>Effective/End Date</u>
South Dakota Advisory Council on Aging Cheryl Anagnopoulos Spearfish	Governor	New Appointment	8/13/2019 – 6/30/2022
Statewide One-Call Notification Center Board Edward Anderson Pierre	Governor	Reappointed	11/1/2019 – 10/31/2022

Council of Juvenile Services

Pat Bad Hand Sr. Rosebud	Governor	Miskoo Petite	10/31/2019 – 10/30/2022
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**Workers Compensation
Advisory Council**

Brooke Bohnenkamp Pierre	Governor	Carol Hinderaker	10/31/2019 – 10/30/2022
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**South Dakota Interagency
Coordinating Council**

Jim Bolin Canton	Governor	Tom Holmes	8/13/2019 – 12/31/2021
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**Board of Social Work
Examiners**

Amber Bruns Sioux Falls	Governor	Reappointed	10/31/2019 – 10/30/2022
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**South Dakota Advisory
Panel for Children with
Disabilities**

Stephanie Caron Brookings	Governor	Timothy Reinbold	8/13/2019 – 6/30/2021
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**Board of Social Work
Examiners**

Karen S. Chesley Sioux Falls	Governor	Reappointed	10/31/2019 – 10/30/2022
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**Board of Examiners of
Psychologists**

Matthew Christiansen Mitchell	Governor	Reappointed	10/31/2019 – 10/30/2022
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**Workers' Compensation
Advisory Council**

Jason Dodson Pierre	Governor	Dan Tribby	8/13/2019 – 10/31/2021
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**Board of Addiction and
Prevention Professionals**

Ellen Feiner Sioux Falls	Governor	Reappointed	10/31/2019 – 10/30/2022
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**Commission on
Human Rights**

AJ Franken Vermillion	Governor	Arlene Ham-Burr	8/13/2019 – 6/30/2023
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**Board of Social Work
Examiners**

Jennifer B. Gray Fort Pierre	Governor	Reappointed	10/31/2019 – 10/30/2022
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**South Dakota Advisory
Council on Aging**

Tammy Hatting Governor Ruth Thomas 8/13/2019 – 6/30/2022
Sioux Falls

**South Dakota Advisory
Council on Aging**

Brett Hoffman Governor Jeanette Porter 8/13/2019 – 6/30/2022
Sioux Falls

Council of Juvenile Services

Brad Howell Governor Mike Leidholt 8/13/2019 – 10/30/2021
Watertown

**Statewide One-Call
Notification Center Board**

Fay M. Jandreau Governor Reappointed 11/1/2019 – 10/31/2022
Highmore

State Arts Council

Dohui Kim Governor Reappointed 8/13/2019 – 6/30/2022
Sioux Falls

**South Dakota Public Safety
Communications Council**

Charles Kludt Governor Dennis Gorton 8/13/2019 – 6/30/2022
Viborg

**Statewide One-Call
Notification Center Board**

Doug P. Larson Governor Reappointed 11/1/2019 – 10/31/2022
Aberdeen

**South Dakota Advisory
Council on Aging**

Deloris LeBeau Governor Lorraine Ellwein 8/13/2019 – 6/30/2022
Pierre

**Visitation Grant
Advisory Group**

Kami Marts Governor Carla Bachand 8/13/2019 – 6/30/2022
Pierre

**Board of Examiners of
Psychologists**

Trisha Miller Governor Reappointed 10/31/2019 – 10/30/2022
Rapid City

State Arts Council

John Mogan Governor Andrew Kightlinger 8/13/2019 – 6/30/2022
Sioux Falls

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

Seth Olson Governor Jill Schoen 10/31/2019 – 10/30/2022
Sioux Falls

**South Dakota Advisory
Panel for Children with
Disabilities**

Brad Otten Governor Stacy Haber 8/13/2019 – 6/30/2021
Rapid City

**South Dakota Advisory
Council on Aging**

Jean Person Governor Robert Place 8/13/2019 – 6/30/2022
Pierre

Cosmetology Commission

Annette Petersen Governor Lori Little 8/13/2019 – 4/14/2020
Hurley

Family Support Council

Michelle Powers Governor Lindsey Madsen 8/13/2019 – 6/30/2020
Brookings

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

Jim Schmidt Governor Gerrit Juffer 8/13/2019 – 6/30/2023
Sioux Falls

**Workers' Compensation
Advisory Council**

Jesse Smith Governor Peter Bullene 8/13/2019 – 10/30/2021
Sioux Falls

**South Dakota Interagency
Coordinating Council**

Jaze Sollars Governor New Appointment 8/13/2019 – 12/31/2021
Pierre

**Workers' Compensation
Advisory Council**

Scott Stern Governor New Appointment 10/31/2019 – 10/30/2022
Sioux Falls

State Arts Council

Nan Venhuizen Governor Linda Anderson 8/13/2019 – 6/30/2022
Sioux Falls

Council of Juvenile Services

Cassidy Wright Governor Renee Gallagher 8/13/2019 – 10/30/2020
Sioux Falls

SCHEDULED PUBLIC HEARINGS

9-5-2019	<u>Department of Game, Fish and Parks:</u> Amend rules to insert gender neutral language and update authorities; create a title specific rule that exempts department employees while performing their official duties; create new working definitions; provide for consistent language; differentiate between suspensions and revocations for licensing agents; create a unified time restriction for the state park system as well as public hunting and lake access areas; consolidate similar rules into one rule; prohibit alcohol at Bolton Game Production Area; clarify nomenclature; provide clarity and eliminate unnecessary and redundant language; identify specific authorities as the basis for rule; authorize additional days of free entrance into state parks; extend the time periods that the Mickelson Trail would be accessible; repeal the requirement to tag antlers in the velvet stage; create new rules regarding the transportation of whole cervid carcasses and high-risk Chronic Wasting Disease (CWD) cervid carcass parts; prohibits the removal of whole cervid carcasses and high-risk cervid carcass parts from leaving a known CWD endemic area within South Dakota; require hunters, wildlife processors, and taxidermists to dispose of out of state cervids, regardless of CWD status, and cervids harvested from a known South Dakota CWD endemic area through their waste management provider or a permitted landfill; and modify the start date for prohibition of baiting from August 15 to August 1; 46 SDR 25, August 19, 2019.
9-10-2019	<u>Department of Environment and Natural Resources:</u> Amend rules to modify the requirements to take an Operator Certification exam and clarify the requirements to renew a certificate; 46 SDR 20, August 5, 2019.
9-12-2019	<u>South Dakota Lottery (Department of Revenue):</u> Amend rules to permit an additional method of a video lottery machine determining video lottery game winners; 46 SDR 25, August 19, 2019.
9-17-2019	<u>South Dakota Board of Nursing Facility Administrators (Department of Health):</u> Amend rules to update the reference to the national examination and clarify continuing education requirements; 46 SDR 23, August 12, 2019.
9-23-2019	<u>Department of Health:</u> Amend rules to allow municipalities to regulate the practice of saline tattoo removal; 46 SDR 26, August 19, 2019.
9-23-2019	<u>Department of Health:</u> Amend rules to clean up existing rules and clarify the methodology for determining testing fees; 46 SDR 29, August 26, 2019.
10-1-2019	<u>Department of Revenue:</u> Repeal rules with no legislative authority and no implementation purpose in the codified laws relating to the inheritance tax; 46 SDR 32, September 3, 2019.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee is Monday, September 9, 2019, at 10:00 a.m. CT in Room 414 of the Capitol. The final meeting scheduled for the 2019 interim is November 4.

Notices of 2019 Rules Review Committee meetings will be provided 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.