

REGISTER



South Dakota Legislative Research Council

Volume 39

Monday, 8:00 a.m., September 17, 2012

NOTICES OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Filed: September 13, 2012
Effective: October 3, 2012

Secretary of State: Board of Elections:

(September 11, 2012) intends to adopt an EMERGENCY rule to update the voting rights notice, concerning the voting rights of convicted felons, to be published with the facsimile ballot before the General Election. The general authority for this rule, as cited by the department, is SDCL § 12-1-9.

Executive Appointments:

John S. Hemmingstad, Elk Point, was appointed on September 6, 2012, to the **Council of Economic Advisors**, effective immediately and shall continue until June 30, 2015.

Daniel W. Noteboom, Corsica, was appointed on September 6, 2012, to the **Council of Economic Advisors**, effective immediately and shall continue until June 30, 2015.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

**DEPARTMENT OF AGRICULTURE:
BOARD OF VETERINARY MEDICAL
EXAMINERS:** 20:57:03:01.

Randall M. Stuefen, Vermillion, was appointed on September 6, 2012, to the **Council of Economic Advisors**, effective immediately and shall continue until June 30, 2015.

History-Notice: 39 SDR 15, July 23, 2012
Hearing: August 17, 2012
Filed: September 12, 2012
Effective: October 2, 2012

Everhardus Van Der Sluis, Brookings, was appointed on September 6, 2012, to the **Council of Economic Advisor**, effective immediately and shall continue until June 30, 2015.

**DEPARTMENT OF PUBLIC SAFETY:
OFFICE OF WEIGHTS AND MEASURES:**
20:01:09:01.01; 20:01:10:03, 20:01:10:04,
20:01:10:05, 20:01:10:06, and 20:15:06:01.01.

Paul Christen, Huron, was reappointed on September 7, 2012, to the **State Banking Commission**, effective immediately and shall continue until October 30, 2015.

History-Notice: 38 SDR 224, June 18, 2012
Hearing: July 20, 2012
Filed: September 12, 2012
Effective: October 2, 2012

Davis S. Pummel, Belle Fourche, was appointed on September 7, 2012, to the **South Dakota Board of Accountancy**, to replace David Olson, effective October 31, 2012, and shall continue until October 30, 2015.

**DEPARTMENT OF EDUCATION: BOARD
OF EDUCATION:** Article 24:42 inclusive; and
Article 24:55 inclusive.

History-Notice: 39 SDR 23, August 6, 2012
Hearing: August 23, 2012

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

<p>9-24-2012</p>	<p>Education: Board of Education</p>	<p>Amend Early Intervention Program rules to align current state rules with the new federal requirements and amend a Requirements for Education Endorsement Programs rule to require individuals teaching Curriculum for Agriculture Science Education (CASE) courses to acquire Agriculture Education certification and complete state-approved national certification for CASE; 39 SDR 31.</p>
<p>9-28-2012</p>	<p>Revenue: Lottery Commission</p>	<p>Amend Instant Lottery Requirements rules to update definitions to standard industry terminology, allow for flexibility regarding identification features of bar codes and more clearly define a chain retailer, eliminate a subsection that is no longer needed, have the Commission conduct hearings on suspensions or cancellations of a retailer's contract, eliminate the requirement of an instant retailer to appear before the Executive Director for the purpose of rendering a final accounting and surrendering its lottery contract and lottery equipment, no longer require seasonal retailers to display promotional materials, change the words book to pack and spots to areas, describe the unplayable portion of an instant ticket, describe the requirements to be a valid instant ticket, define the options available to the Executive Director for replacing an invalid or defective ticket, describe drawing procedures if an instant game includes a drawing feature for prizes, and allow for the acceleration of prize payment under a certain circumstance; amend a Video Lottery Requirements rule to identify the bill denominations that may be accepted by a bill acceptor on a video lottery terminal; and amend On-Line Lottery Requirements rules to describe a terminal that is operated by a person and located at a retailer and to define an on-line game, describe the duties of an on-line retailer, identify the commission paid to an on-</p>

		<p>line retailer for each on-line ticket sold by that on-line retailer, describe the process to claim prizes for the largest prize category of an on-line game, outline the requirements for conducting the drawing of an on-line game, identify reasons for which the Executive Director may postpone or void a drawing and authorize a redrawing for an on-line game, authorize the Lottery to broadcast on-line game drawings on television, repeal the on-line Tri-West Lotto game, repeal the on-line Daily Millions Game, adopt changes to the Wild Card Game, repeal the on-line Cash 4 Life Game, repeal the on-line Rolldown Game, describe how play purchases must occur for an on-line raffle game, and describe the order in which winning numbers will be drawn in raffle games; 39 SDR 45.</p>
<p>10-4-2012</p>	<p>Game, Fish and Parks</p>	<p>Amend Mountain Lion Hunting Season rules to increase the total mountain lion harvest limit from 70 to 100 mountain lions and increase the female harvest limit from 50 to 70 female mountain lions; change the season start date from January 1 to December 26; allow any properly licensed hunter (both landowners and non-landowners) to hunt mountain lions outside of the Black Hills Fire Protection District from January 1 to December 31; close Custer State Park to mountain lion hunting except during established hunting intervals for 162 hunters who possess a valid mountain lion hunting license and a temporary access permit issued free of cost and by random drawing, and structured to include five hunting intervals (14-16 days in length) with each having 30 access permits (no dog hunting allowed) and three intervals (7 days in length) with each having four access permits (dog hunting allowed); and allow for the use of dogs during specified intervals in Custer State Park; and amend Black Hills Bighorn Sheep Hunting Season rules to establish a process for designating and issuing one bighorn sheep hunting license for auction; 39 SDR 31.</p>

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held Tuesday, November 13, 2012, in Room 414, Fourth Floor, of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2012 interim: December 19.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the Legislative Web site at <http://legis.state.sd.us/rules/index.aspx>.