

# REGISTER



## South Dakota Legislative Research Council

Volume 40

Monday, 8:00 a.m., December 23, 2013

### NOTICE OF PROPOSED RULES: (None)

### NOTICE:

The **South Dakota Lottery** is ending instant ticket game numbers 441 - Good Luck Cashword, 442 - Casino Royale, 445 - Jingle Jumbo Bucks Holiday, 447 - Cash Deluxe, 452 - 25th Anniversary, 457 - Betty Boop, 462 - Take Me Out to the Ballgame, and 469 - Star Trek. The final day that prizes will be paid for these games will be May 26, 2014.

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

**DEPARTMENT OF GAME, FISH AND PARKS:** 41:03:01:16; 41:06:13:02, 41:06:13:04; 41:09:01:03; 41:09:02:04, and 41:09:02:06:01.

History-Notice: 40 SDR 101, Nov. 18, 2013  
Hearing: December 5, 2013  
Filed: December 17, 2013  
Effective: January 6, 2014

**DEPARTMENT OF REVENUE:  
COMMISSION ON GAMING:**  
20:04:01:13.02; 20:04:19:20, 20:04:19:22;  
20:04:20:102; 20:04:24:36, 20:04:24:37;  
20:04:27:13.01 to 20:04:27:13.10, inclusive,  
20:04:27:13.12; 20:04:28:22; 20:18:14.01:08;  
20:18:17:24, 20:18:17:24.02, 20:18:17:24.14,  
20:18:17:33; 20:18:18:15, 20:18:18:24.03;  
20:18:18.01:13; 20:18:20:11; and 20:18:22:08.

History-Notice: 40 SDR 85, Nov. 4, 2013  
Hearing: November 20, 2013  
Filed: December 17, 2013  
Effective: January 6, 2014

**DEPARTMENT OF TRANSPORTATION:**  
70:07:01:01; 70:07:02:01 to 70:07:02:12,  
inclusive, 70:07:02:15 to 70:07:02:20, inclusive;  
70:07:03:01, 70:07:03:03 to 70:07:03:06,  
inclusive; 70:07:04:01, 70:07:04:02,  
70:07:04:10, 70:07:04:13, 70:07:04:15,  
70:07:04:16, 70:07:04:18 to 70:07:04:22,  
inclusive; and Chapter 70:07:05.

History-Notice: 40 SDR 77, October 28, 2013  
Hearing: November 21, 2013  
Filed: December 17, 2013  
Effective: January 6, 2014

### OFFICE OF THE SECRETARY OF STATE: 5:04:06:08 and 5:04:06:09.

History-Notice: 40 SDR 94, Nov. 12, 2013  
Hearing: December 2, 2013  
Filed: December 17, 2013  
Effective: January 6, 2014

**DEPARTMENT OF LABOR AND  
REGULATION: APPRAISER  
CERTIFICATION PROGRAM:** 20:14:02:02;  
20:14:03:01; 20:14:04:12.02, 20:14:04:14;  
20:14:05:05, 20:14:05:05.01; 20:14:06:01,  
20:14:06:01.02; 20:14:13:01.01, and  
20:14:13:01.02.

History-Notice: 40 SDR 73, October 21, 2013  
Hearing: November 15, 2013  
Filed: December 18, 2013  
Effective: January 7, 2014

**DEPARTMENT OF LABOR AND  
REGULATION: BOARD OF TECHNICAL  
PROFESSIONS:** 20:38:29:03; 20:38:32:04,  
20:38:32:06; 20:38:33:03; 20:38:34:01 and  
20:38:34:04.

History-Notice: 40 SDR 77, October 28, 2013  
 Hearing: November 22, 2013  
 Filed: December 18, 2013  
 Effective: January 7, 2014

**DEPARTMENT OF SOCIAL SERVICES:  
 DIVISION OF ADULT SERVICES AND  
 AGING:** Chapters 67:40:01 to 67:40:07,  
 inclusive; 67:40:08:02; Chapters 67:40:09 to  
 67:40:11, inclusive; Chapters 67:40:13 to  
 67:40:15, inclusive; Chapters 67:40:17 to  
 67:40:20, inclusive; 67:45:02:02, 67:45:02:12,  
 67:45:02:13; 67:16:35:11; and 67:49:01.02.

History-Notice: 40 SDR 93, Nov. 12, 2013  
 Hearing: November 26, 2013  
 Filed: December 18, 2013  
 Effective: January 7, 2014

**DEPARTMENT OF SOCIAL SERVICES:  
 DIVISION OF MEDICAL SERVICES:**  
 67:15:01:01; 67:16:01:01, 67:16:01:06.03,  
 67:16:01:08, 67:16:01:22; 67:16:02:03.03,  
 67:16:02:05.12, 67:16:02:17; 67:16:03:07;  
 67:16:05:05.01; 67:16:08:05; 67:16:25:04.02,  
 67:16:25:06.04, 67:16:25:05, 67:16:25:06.07;  
 67:16:31:02; 67:16:35:06, 67:16:35:11;  
 67:16:37:01, 67:16:37:06, 67:16:37:14,  
 67:16:37:15; 67:16:41:03, 67:16:41:13;  
 67:16:42:03, 67:16:42:04, 67:16:42:05;  
 67:16:44:06; 67:16:46:06; 67:16:47:05;  
 67:45:02:12; 67:46:01:01; 67:46:10:09, and  
 67:46:10:12.

History-Notice: 40 SDR 93, Nov. 12, 2013  
 Hearing: November 26, 2013  
 Filed: December 18, 2013  
 Effective: January 7, 2014

**DEPARTMENT OF HUMAN SERVICES:  
 SOUTH DAKOTA DEVELOPMENTAL  
 CENTER; DEPARTMENT OF HEALTH;  
 AND DEPARTMENT OF SOCIAL  
 SERVICES:** 44:71:01:01; 46:17:01:01;  
 46:17:02:02 to 46:17:02:05, inclusive;  
 46:17:03:01, 46:17:03:02; 46:17:04:01,  
 46:17:04:02, 46:17:04:05 to 46:17:04:07,  
 inclusive, 46:17:04:09, 46:17:04:12 to

46:17:04:18, inclusive; 46:17:05:01 to  
 46:17:05:05, inclusive; 46:17:06:02,  
 46:17:06:04 to 46:17:06:07, inclusive,  
 46:17:06:10 to 46:17:06:13, inclusive;  
 67:12:01:44; 67:16:02:04, 67:16:02:06;  
 67:16:04:61; 67:16:05:05.01; 67:16:11:03.20;  
 67:16:14:06.04; 67:16:16:01, 67:16:16:09;  
 67:16:24:03; 67:16:25:06.01; 67:16:29:04;  
 67:16:36:01, 67:16:36:04, 67:16:36:05;  
 67:16:37:14; 67:16:41:10; 67:16:42:02,  
 67:16:42:03, 67:16:42:05; 67:40:07:01;  
 67:40:18:01; 67:45:01:08; 67:45:02:09;  
 67:46:03:07; 67:46:09:01, 67:46:09:06,  
 67:46:09:10 to 67:46:09:12, inclusive;  
 67:48:01:01; 67:48:02:02; 67:54:03:01 to  
 67:54:03:04, inclusive, 67:54:03:07 to  
 67:54:03:09, inclusive; 67:54:04:01,  
 67:54:04:04 to 67:54:04:06, inclusive,  
 67:54:04:09, 67:54:04:18.01; 67:54:07:09;  
 67:54:09:12, and 67:54:09:13.

History-Notice: 40 SDR 94, Nov. 12, 2013  
 Hearing: November 27, 2013  
 Filed: December 19, 2013  
 Effective: January 8, 2014

**DEPARTMENT OF EDUCATION: BOARD  
 OF EDUCATION:** 24:05:33:07.03.

History-Notice: 40 SDR 77, October 28, 2013  
 Hearing: November 18, 2013  
 Filed: December 19, 2013  
 Effective: January 8, 2014

**GOVERNOR'S OFFICE OF ECONOMIC  
 DEVELOPMENT:** 68:03:01:06 to  
 68:03:01:11, inclusive, 68:03:01:13, and  
 68:03:01:14.

History-Notice: 40 SDR 67, October 15, 2013  
 Hearing: November 6, 2013  
 Filed: December 19, 2013  
 Effective: January 8, 2014

**Executive Appointments:**

**Christine A. Ellwein**, Pierre, was appointed on December 13, 2013, to the **Board of Massage Therapy**, to replace Rebecca Dykema, effective immediately and shall continue until October 30, 2016.

**Melissa Klemann**, Pierre, was appointed on December 13, 2013, to the **South Dakota Risk Pool Governing Board**, to replace Randy Moses, effective immediately.

**Frederick Magnavito**, Rapid City, was reappointed on December 13, 2013, to the **Board of Examiners of Psychologists**, effective immediately and shall continue until October 30, 2016.

**Bradley D. Woldt**, Brookings, was reappointed on December 13, 2013, to the **Board of**

**Examiners of Psychologists**, effective immediately and shall continue until June 30, 2016.

**Charles E. Jones**, District 8, was appointed on December 17, 2013, to the **South Dakota Senate**, to replace Senator Russell Olson, effective immediately.

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**

1-9-2014	Game, Fish and Parks	Amend Black Hills Bighorn Sheep Hunting Season rules to make the bighorn sheep auction tag valid only in Unit 2 and modify the current boundary description for Unit 1 to include only the geographic area of the Rapid Creek bighorn sheep sub-herd population; 40 SDR 119.
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**RULES REVIEW COMMITTEE MEETINGS**

The Interim Rules Review Committee will have an informal meeting near the close of the Eighty-ninth Legislative Session to set the tentative meeting schedule for the 2014 interim. Watch for a notice of this informal meeting on the LRC website and at the Captiol.

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

The **South Dakota Register**, ISSN 0191-1104, is published by the South Dakota Legislative Research Council pursuant to SDCL 1-26A-1. Subscriptions to Volume 40 are \$25. Make checks payable to "State of South Dakota" and mail to the Legislative Research Council, State Capitol, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070. Information from the Register is available free of charge on the Internet at <http://legis.sd.gov>. Subscribe to receive electronic notification of the availability of the **South Dakota Register** at E-Subscribe at [http://legis.sd.gov/My\\_LRC/index.aspx](http://legis.sd.gov/My_LRC/index.aspx).