

REGISTER



South Dakota Legislative Research Council

Volume 45

Monday, 8:00 a.m., August 13, 2018

FILINGS IN THE LEGISLATIVE RESEARCH COUNCIL'S OFFICE:

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

Department of Agriculture: South Dakota Weed and Pest Control Commission: (August 6, 2018) intends to amend rules to add absinth wormwood to the statewide noxious weed list. The general authority for these rules, as cited by the department, is SDCL §§ 38-22-9 and 38-22-11.1.

A public hearing will be held at the Matthews Training Center, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota, on September 11, 2018, at 1:00 p.m. CT. Copies of the proposed rules may be obtained without charge from and written comments sent to South Dakota Department of Agriculture, Division of Agricultural Services, Weed & Pest Program, 523 E. Capitol Avenue, Pierre, SD 57501. Material sent by mail must reach the Department by September 10, 2018, 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) 773-3796 at least 48 hours before the public hearing.

Department of Labor and Regulation: Division of Insurance: (August 8, 2018) intends to amend rules to update the ORSA Manual referenced in rule; change the term "qualification" to "line of authority"; update rating standards for health issuers; and update standards for the sale of individual health

insurance and update references to preventive services. The general authority for these rules, as cited by the department, is SDCL §§ 58-4-1, 58-5A-53, 58-17-4.2, 58-17-87, 58-18B-18, 58-18B-36, 58-18-79, and 58-30-117.

A public hearing will be held in the West River Conference Room, 2nd Floor, 124 South Euclid Avenue, Pierre, South Dakota, on August 29, 2018, at 10:00 a.m. CT. Copies of the proposed rules may be obtained without charge from and written comments sent to South Dakota Division of Insurance, Administrative Rules, 124 S. Euclid Avenue, 2nd Floor, Pierre, SD 57501. The text of the proposed rules will be posted at <http://dlr.sd.gov/insurance/laws.aspx> or to obtain a Microsoft Word version, email mallori.barnett@state.sd.us. The comment period will remain open for 10 days following the hearing, closing on September 8, 2018. This hearing is being held in a physically accessible place. Persons who have special needs for which the Division can make arrangements are asked to call (605) 773-3563 at least 48 hours before the public hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Legislative Appointments:

Scyller Borglum, Rapid City, was appointed on August 8, 2018, to the **South Dakota House of Representatives**, to fill the District 32 vacancy created by the death of Representative Sean McPherson. The appointment is effective immediately.

Rebecca Reimer, Oacoma, was appointed on August 8, 2018, to the **South Dakota House of Representatives**, to fill the District 26B vacancy created by the death of Representative Jim Schaefer. The appointment is effective immediately.

Margaret Sutton, Sioux Falls, was appointed on August 8, 2018, to the **South Dakota Senate**, to fill the District 10 vacancy created by the resignation of Senator Jenna Netherton. The appointment is effective immediately.

Executive Appointments:

Gen. Thomas G. Croymans, Aberdeen, was appointed on July 9, 2018, to the position of **Assistant Adjutant General, Army, South Dakota National Guard**, effective May 1, 2018.

Gen. Russ A. Walz, Aberdeen, was appointed on July 9, 2018, to the position of **Assistant Adjutant General, Air, South Dakota National Guard**, effective May 12, 2018.

Timothy P. Reinbold, Redfield, was appointed on July 12, 2018, to the **Independent Living Council**, to replace Tammy Kabris, effective July 1, 2018, and shall continue until June 30, 2021.

Kristina Allen, Sioux Falls, was appointed on July 13, 2018, to the **Board of Vocational Rehabilitation**, to replace Chuck Quinn, effective July 1, 2018, and shall continue until June 30, 2021.

Kevin L. Barber, Sioux Falls, was appointed on July 13, 2018, to the **Board of Vocational Rehabilitation**, effective July 1, 2018, and shall continue until June 30, 2021.

Pamela Bryan, Oacoma, was appointed on July 13, 2018, to the **South Dakota 9-1-1 Coordination Board**, to replace Jody Sawvell, effective July 1, 2018, and shall continue until June 30, 2021.

Liza Clark, Pierre, was appointed on July 13, 2018, to the **South Dakota Retirement System Board of Trustees**, to replace Matthew Michels, effective July 1, 2018.

Jamie Farnen, Pierre, was appointed on July 13, 2018, to the **State Board of Examiners in Optometry**, to replace Nancy Van Camp, effective July 1, 2018, and shall continue until June 30, 2021.

Patricia J. Johnson-Ribbe, Milbank, was appointed on July 13, 2018, to the **Board of Social Services**, effective June 19, 2018, and shall continue until October 30, 2020.

Carol J. Lawhun, Rapid City, was appointed on July 13, 2018, to the **South Dakota Real Estate Commission**, to replace Matthew Krogman, effective June 20, 2018, and shall continue until April 11, 2021.

Jesse J. Ronning, Brookings, was appointed on July 13, 2018, to the **Board of Social Services**, effective June 19, 2018, and shall continue until October 30, 2018.

Todd Bernhard, Fort Pierre, was reappointed on July 16, 2018, to the **Board of Water and Natural Resources**, effective July 1, 2018, and shall continue until June 30, 2022.

Dr. Paul Gnirk, New Underwood, was reappointed on July 16, 2018, to the **Board of Water and Natural Resources**, effective July 1, 2018, and shall continue until June 30, 2022.

Andrew K. Barth, Rapid City, was appointed on July 19, 2018, to the **South Dakota Public Safety Communications Council**, to replace Jesse Berain, effective July 17, 2018, and shall continue until June 30, 2019.

Patricia J. Johnson, Milbank, was appointed on July 19, 2018, to the **Board of Social Services**, to replace Richard Palmer,

effective June 19, 2018, and shall continue until October 30, 2020.

Tyler Munson, Mobridge, was appointed on July 19, 2018, to the **South Dakota Advisory Panel for Children with Disabilities**, to replace Traci Glanzman, effective July 1, 2018, and shall continue until June 30, 2021.

Pamela S. Roberts, Pierre, was appointed on July 19, 2018, to the **Unemployment Insurance Advisory Council**, to replace Don Kattke, effective July 18, 2018.

Mary Stadick Smith, Interim Secretary, Department of Education, Pierre, was appointed on July 19, 2018, to the **State Council for Educational Opportunity for Military Children**, to replace Secretary Don Kirkegaard, effective July 3, 2018.

Brittany D. Schmidt, Renner, was reappointed on July 24, 2018, to the **Board of Examiners for Speech-Language Pathology**, effective July 31, 2018, and shall continue until July 30, 2021.

Norbert Sebade, Rapid City, was reappointed on July 24, 2018, to the **South Dakota Health and Educational Facilities Authority**, effective July 1, 2018, and shall continue until June 30, 2023.

David A. Timpe, Hartford, was reappointed on July 24, 2018, to the **South Dakota Health and Educational Facilities Authority**, effective July 1, 2018, and shall continue until June 30, 2023.

Katherine C. Erdman-Becker, Crooks, was reappointed on July 25, 2018, to the **Planning Council on Developmental Disabilities**, effective July 1, 2018, and shall continue until June 30, 2021.

Stacy Haber, Sioux Falls, was reappointed on July 25, 2018, to the **South Dakota Advisory Panel for Children with**

Disabilities, effective July 1, 2018, and shall continue until June 30, 2021.

Reed A. Haug, Spearfish, was reappointed on July 25, 2018, to the **Planning Council on Developmental Disabilities**, effective July 1, 2018, and shall continue until June 30, 2021.

Chuck Henrie, Rapid City, was reappointed on July 25, 2018, to the **Planning Council on Developmental Disabilities**, effective July 1, 2018, and shall continue until June 30, 2021.

Marie Ivers, Brookings, was reappointed on July 25, 2018, to the **South Dakota Advisory Panel for Children with Disabilities**, effective July 1, 2018, and shall continue until June 30, 2021.

Larry Puthoff, Sioux Falls, was appointed on July 25, 2018, to the **South Dakota Advisory Panel for Children with Disabilities**, effective July 17, 2018, and shall continue until June 30, 2021.

Connie Schmitz, Bonesteel, was reappointed on July 25, 2018, to the **Planning Council on Developmental Disabilities**, effective July 1, 2018, and shall continue until June 30, 2021.

Jennifer Carda, Tabor, was reappointed on July 26, 2018, to the **Family Support Council**, effective July 1, 2018, and shall continue until June 30, 2021.

Catherine Greseth, Custer, was reappointed on July 26, 2018, to the **Board of Service to the Blind and Visually Impaired**, effective July 1, 2018, and shall continue until June 30, 2021.

Marcia Hultman, Pierre, was reappointed on July 26, 2018, to the **Board of Service to the Blind and Visually Impaired**, effective July 1, 2018, and shall continue

until June 30, 2021.

Koni Sims, Sioux Falls, was reappointed on July 26, 2018, to the **Board of Service to the Blind and Visually Impaired**, effective July 1, 2018, and shall continue until June 30, 2021.

Paul R. Batcheller, Sioux Falls, was reappointed on July 27, 2018, to the **Research and Commercialization Council**, effective July 1, 2018, and shall continue until June 30, 2020.

Tasha Jones, Pierre, was reappointed on July 27, 2018, to the **Independent Living Council**, effective July 1, 2018, and shall continue until June 30, 2021.

David Link, Sioux Falls, was reappointed on July 27, 2018, to the **Research and Commercialization Council**, effective July 1, 2018, and shall continue until June 30, 2020.

Eddie J. Sullivan, Sioux Falls, was reappointed on July 27, 2018, to the **Research and Commercialization Council**, effective July 1, 2018, and shall continue until June 30, 2020.

Bradford J. Wheeler, Lemmon, was reappointed on July 27, 2018, to the **Research and Commercialization Council**, effective July 1, 2018, and shall continue until June 30, 2020.

Brian J. Bonde, Sioux Falls, was reappointed on July 30, 2018, to the **State Arts Council**, effective July 1, 2018, and shall continue until June 30, 2021.

Mary Bordeaux, Rapid City, was reappointed on July 30, 2018, to the **State Arts Council**, effective July 1, 2018, and shall continue until June 30, 2021.

Lynne M. Byrne, Sioux Falls, was reappointed on July 30, 2018, to the **State Arts Council**, effective July 1, 2018, and shall continue until June 30, 2021.

Michelle DeNeui, Spearfish, was reappointed on July 30, 2018, to the **South Dakota 9-1-1 Coordination Board**, effective July 1, 2018, and shall continue until June 30, 2021.

Laura Diddle, Brookings, was reappointed on July 30, 2018, to the **State Arts Council**, effective July 1, 2018, and shall continue until June 30, 2021.

Rachel Kippley, Aberdeen, was reappointed on July 30, 2018, to the **South Dakota 9-1-1 Coordination Board**, effective July 1, 2018, and shall continue until June 30, 2021.

Sally Christenson, Pierre, was appointed on August 1, 2018, to the **Commission on Equal Access to Our Courts**, to replace Sue Jensen, effective July 1, 2018, and shall continue until June 30, 2021.

Liza Clark, Pierre, was appointed on August 1, 2018, to the **School Finance Accountability Board**, to replace Patrick Weber, effective July 31, 2018, and shall continue until June 30, 2020.

Dr. Kelly J. Glodt, Pierre, was appointed on August 1, 2018, to the **Teacher Compensation Review Board**, to replace Don Kirkegaard, effective July 31, 2018, and shall continue until March 1, 2021.

Sherry Johnson, Sisseton, was appointed on August 1, 2018, to the **Hagen-Harvey Memorial Scholarship Board**, to replace Curtis Mortenson, effective July 25, 2018, and shall continue until June 30, 2023.

Jonathan Nesladek, Pierre, was appointed on August 1, 2018, to the **State Council for Educational Opportunity for Military**

Children, to replace Audrey Ricketts, effective July 17, 2018.

Pat Snow, Pierre, was appointed on August 1, 2018, to the **South Dakota Board of Directors for Educational Telecommunications**, to replace David Zolnowsky, effective July 1, 2018.

Jamie White, Huron, was appointed on August 1, 2018, to the **State Fair Commission**, to replace Richard Shelton, effective July 17, 2018.

Alan Vandenburg, Sioux Falls, was reappointed on August 2, 2018, to the **Board**

of Service to the Blind and Visually Impaired, effective July 31, 2018, and shall continue until June 30, 2021.

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 the Department of Labor and Regulation for Article 47:03.

REMINDER OF HEARINGS SCHEDULED

8-17-2018	Department of Health: Amend rules to clarify the authority and processes that administer the J-1 Visa Program; 45 SDR 15, July 30, 2018.
8-22-2018	Department of Veterans Affairs: Amend rules to clarify the duties of county veterans' service officers, and simplify the application process; 44 SDR 197, June 25, 2018.
8-29-2018	Department of Labor and Regulation: Division of Insurance: Amend rules to update the ORSA Manual referenced in rule; change the term "qualification" to "line of authority"; update rating standards for health issuers; and update standards for the sale of individual health insurance and update references to preventive services; 45 SDR 21, August 13, 2018.
8-30-2018	Office of the Secretary of State: Amend rules to update the notary public application form and revise the fees for statewide voter registration files by adding fees for new parties or parties with alternative political status for just their party voters; 45 SDR 15, July 30, 2018.
9-11-2018	Department of Agriculture: South Dakota Weed and Pest Control Commission: Amend rules to add absinth wormwood to the statewide noxious weed list; 45 SDR 21, August 13, 2018.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2018 Interim is Monday, August 20, 2018, at 10:00 a.m. in Room 414 of the State Capitol. Other meetings scheduled for the 2018 interim will be held September 17 and November 13.

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>.

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