

# REGISTER



## South Dakota Legislative Research Council

Volume 43

Monday, 8:00 a.m., November 21, 2016

---

### 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 Game, Fish, and Parks:** (November 16, 2016) intends to amend a Park License and Trail Use Pass rule to eliminate the park entrance license (PEL) exemption for persons visiting campers assigned to the Youth Forestry Camp in Custer State Park and establish a PEL exemption for members and guests of a South Dakota veterans group, South Dakota National Guard unit, South Dakota military reserve unit, or patients currently admitted to a veterans hospital located in South Dakota and their attendants from the state PEL requirement when participating in a non-competitive event sponsored by a veterans group, National Guard or military reserve unit, or veterans hospital which has obtained an event permit from the manager of the state park where the event is to be held. The general authority for this rule, as cited by the department, is SDCL §§ 41-17-1.1 and 41-17-13.4.

A public hearing will be held at the RedRossa Convention Center, 808 West Sioux Ave., Pierre, South Dakota, on December 15, 2016, at 2:00 p.m. CST. Copies of the proposed rule may be obtained from and written comments sent to the office of the Secretary of the Department of Game, Fish and Parks, Foss Building, 523 East Capitol, Pierre, SD 57501. Copies of the proposed rule are also available at: <https://rules.sd.gov/>. Written comments must be received by and in the office of the Secretary of the Department of Game, Fish and Parks on or

before 12:00 p.m. on the date of the hearing. Comments may also be sent by email to either [wildinfo@state.sd.us](mailto:wildinfo@state.sd.us) or [gfpadminrules@state.sd.us](mailto:gfpadminrules@state.sd.us). All written and email comments must include the commenter's name, home town/city, and state. 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) 773-3718 or (605) 223-7684 (Telecommunication Device for the Deaf) before the hearing.

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

**BUREAU OF ADMINISTRATION:  
OBLIGATION RECOVERY CENTER:**  
10:11:01:01; 10:11:02:01; 10:11:03:01 to 10:11:03:04, inclusive; 10:11:04:01 to 10:11:04:04, inclusive; 10:11:05:01; 10:11:06:01 and 10:11:06:02.

History-Notice: 43 SDR 21, August 15, 2016  
Hearing: September 21, 2016  
Filed: November 14, 2016  
Effective: December 5, 2016

**DEPARTMENT OF REVENUE: SD  
COMMISSION ON GAMING:** 20:04:22:65, 20:04:22:66, 20:04:22:68; 20:04:24:123, 20:04:24:124; 20:04:27:09, 20:04:27:13; 20:04:28:45; 20:18:15:30.07, 20:18:15:30.15; 20:18:18:14; and 20:18:33:12.

History-Notice: 43 SDR 25, August 22, 2016  
Hearing: September 14, 2016  
Filed: November 14, 2016  
Effective: December 5, 2016

**DEPARTMENT OF SOCIAL SERVICES:  
DIVISION OF BEHAVIORAL HEALTH:**

Article 46:05 - 46:05:01:01 to 46:05:21:09, inclusive; Article 46:20 - 46:20:01 to 46:20:34:19, inclusive; Article 67:61 - 67:61:01:01 to 67:61:18:07, inclusive; and Article 67:62 - 67:62:01:01 to 67:62:15:19, inclusive.

History-Notice: 43 SDR 55, October 3, 2016  
Hearing: October 21, 2016  
Filed: November 14, 2016  
Effective: December 5, 2016

**DEPARTMENT OF SOCIAL SERVICES:  
DIVISION OF MEDICAL SERVICES:**

67:16:01:01, 67:16:01:08; 67:16:02:16.01, 67:16:02:18; 67:16:03:06.01, 67:16:03:06.07, 67:16:03:06.10, 67:16:03:06.17, 67:16:03:06.18; 67:16:13:01, 67:16:13:03 to 67:16:13:05, inclusive, 67:16:13:08, 67:16:13:09; 67:16:28:10; 67:16:29:11; 67:16:31:02.01; 67:16:35:06; 67:16:37:03, 67:16:37:15; 67:16:39:11; 67:16:42:13; 67:16:48:01 to 67:16:48:15, inclusive; and 67:54:08:01 to 67:54:08:13, inclusive.

History-Notice: 43 SDR 56, October 3, 2016  
Hearing: October 21, 2016  
Filed: November 14, 2016  
Effective: December 5, 2016

**BUREAU OF HUMAN RESOURCES:  
CIVIL SERVICE COMMISSION:**

55:10:04:04.

History-Notice: 43 SDR 55, October 3, 2016  
Hearing: October 26, 2016  
Filed: November 15, 2016  
Effective: December 5, 2016

**DEPARTMENT OF LABOR AND  
REGULATION: DIVISION OF  
INSURANCE: 20:06:59:01.**

History-Notice: 43 SDR 61, October 11, 2016  
Hearing: October 24, 2016  
Filed: November 15, 2016  
Effective: December 5, 2016

**OFFICE OF THE SECRETARY OF  
STATE: STATE BOARD OF FINANCE:**

5:01:01:01; 5:01:02:14; and 5:01:07:07.

History-Notice: 43 SDR 35, Sept. 6, 2016  
Hearing: October 18, 2016  
Filed: November 15, 2016  
Effective: December 5, 2016

**DEPARTMENT OF LABOR AND  
REGULATION: DIVISION OF  
SECURITIES: 20:08:07:01 to 20:08:07:03.01,  
inclusive, 20:08:07:25, 20:08:07:27,  
20:08:07:29, and 20:08:07:30.**

History-Notice: 43 SDR 41, Sept. 12, 2016  
Hearing: September 26, 2016  
Filed: November 16, 2016  
Effective: December 6, 2016

**DEPARTMENT OF LABOR AND  
REGULATION: DIVISION OF  
SECURITIES: 20:08:05:15.**

History-Notice: 43 SDR 51, Sept. 26, 2016  
Hearing: October 3, 2016  
Filed: November 16, 2016  
Effective: December 6, 2016

**Executive Appointments:**

**Daniele L. Dosch**, Rapid City, was reappointed on November 7, 2016, to the **Behavioral Health Advisory Council**, effective immediately and shall continue until October 30, 2019.

**LeLewis Gipp**, Aberdeen, was reappointed on November 7, 2016, to the **Behavioral Health Advisory Council**, effective immediately and shall continue until October 30, 2019.

**Katherine Jaeger**, Dakota Dunes, was reappointed on November 7, 2016, to the **Behavioral Health Advisory Council**, effective immediately and shall continue until October 30, 2019.

**Sheila Weber**, Sioux Falls, was reappointed on November 7, 2016, to the **Behavioral Health Advisory Council**, effective immediately and shall continue until October 30, 2019.

**Jane York**, Yankton, was reappointed on November 7, 2016, to the **Behavioral Health Advisory Council**, effective immediately and shall continue until October 30, 2019.

**Susan R. Sandgren**, Lemmon, was reappointed on November 8, 2016, to the **Behavioral Health Advisory Council**, effective immediately and shall continue until October 30, 2019.

**Taniah Apple**, Martin, was reappointed on November 9, 2016, to the **Council of Juvenile Services**, effective immediately and shall continue until October 30, 2019.

**Randy Brennick**, Sturgis, was appointed on November 9, 2016, to the **State Board of Funeral Service**, to replace Susan Bentsen, effective immediately and shall continue until October 30, 2019.

**Karen S. Chesley**, Sioux Falls, was reappointed on November 9, 2016, to the **Board of Social Work Examiners**, effective immediately and shall continue until October 31, 2019.

**Matthew Christiansen**, Mitchell, was appointed on November 9, 2016, to the **Board of Examiners of Psychologists**, to replace Dr. Bradley Woldt, effective immediately and shall continue until October 30, 2019.

**Kimberly J. Cournoyer**, Sioux Falls, was reappointed on November 9, 2016, to the **Council of Juvenile Services**, effective immediately and shall continue until October 30, 2019.

**Chet Edinger**, Mitchell, was reappointed on November 9, 2016, to the **Wheat Utilization Research and Marketing Development Commission**, effective immediately and shall

continue until October 30, 2019.

**Jennifer B. Gray**, Pierre, was reappointed on November 9, 2016, to the **Board of Social Work Examiners**, effective immediately and shall continue until October 31, 2019.

**Rebecca Kiesow-Knudsen**, Sioux Falls, was reappointed on November 9, 2016, to the **South Dakota Crime Victims' Compensation Commission**, effective immediately and shall continue until October 30, 2019.

**Sara McGregor-Okroi**, Sisseton, was reappointed on November 9, 2016, to the **Council of Juvenile Services**, effective immediately and shall continue until October 30, 2019.

**Sgt. Loren McManus**, Sioux Falls, was reappointed on November 9, 2016, to the **South Dakota Crime Victims' Compensation Commission**, effective immediately and shall continue until October 30, 2019.

**Trisha Miller**, Rapid City, was appointed on November 9, 2016, to the **Board of Examiners of Psychologists**, to replace Dr. Magnavito, effective immediately and shall continue until October 30, 2019.

**Floyd L. Munterfering**, Parkston, was reappointed on November 9, 2016, to the **South Dakota Weed and Pest Control Commission**, effective immediately and shall continue until December 31, 2020.

**David Nielsen**, Lead, was reappointed on November 9, 2016, to the **Board of Social Work Examiners**, effective immediately and shall continue until October 30, 2019.

**Elizabeth O'Toole**, Sioux Falls, was reappointed on November 9, 2016, to the **Council of Juvenile Services**, effective immediately and shall continue until October 30, 2019.

**Miskoo Petite, Sr.**, Okreek, was appointed on November 9, 2016, to the **Council of Juvenile Services**, to replace Judge Karen Jeffries, effective immediately and shall continue until October 30, 2019.

**Daryl (KC) Russell**, Aberdeen, was reappointed on November 9, 2016, to the **Veterans Commission**, effective immediately and shall continue until October 1, 2019.

**Clint Vanneman**, Ideal, was reappointed on November 9, 2016, to the **Wheat Utilization Research and Marketing Development Commission**, effective immediately and shall continue until October 30, 2019.

**Tiffany Butler**, Lennox, was appointed on November 10, 2016, to the **Board of Examiners for Counselors and Marriage and Family Therapists**, to replace Mary Guth, effective immediately and shall continue until October 30, 2019.

**Carolyn K. Stansberry**, St. Onge, was reappointed on November 10, 2016, to the **State Board of Podiatry Examiners**, effective immediately and shall continue until October 31, 2019.

**Dr. Denette Eisnach**, Pierre, was appointed on November 14, 2016, to the **State Board of Examiners in Optometry**, to replace Dr. Jill Hart, effective immediately and shall continue until June 30, 2019.

**Laurie Feiler**, Pierre, was appointed on November 14, 2016, to the **Oversight Council (Public Safety Improvement Act PSIA)**, to replace Jim Seward, effective immediately.

**Patrick Weber**, Pierre, was appointed on November 14, 2016, to the **Oversight Council (Public Safety Improvement Act PSIA)**, to replace Laurie Feiler, effective immediately.

**Jerry Cope**, Rapid City, was reappointed on November 15, 2016, to the **South Dakota State**

**Railroad Board**, effective immediately and shall continue until October 30, 2019.

**Joseph F. Kafka**, Valley Springs, was reappointed on November 15, 2016, to the **South Dakota Lottery Commission**, effective January 2, 2017, and shall continue until January 1, 2020.

**Dr. Laurie Landeen**, Sioux Falls, was reappointed on November 15, 2016, to the **State Board of Medical and Osteopathic Examiners**, effective immediately and shall continue until October 30, 2019.

**Dr. Jennifer May**, Rapid City, was appointed on November 15, 2016, to the **State Board of Medical and Osteopathic Examiners**, to replace Dr. Mary Carpenter, effective immediately and shall continue until October 30, 2019.

**Dave Mickelson**, Sioux Falls, was appointed on November 15, 2016, to the **South Dakota Lottery Commission**, to replace Robert Hartford, effective January 2, 2017, and shall continue until January 1, 2020.

**Harlan J. Quenzer**, Mitchell, was reappointed on November 15, 2016, to the **South Dakota State Railroad Board**, effective immediately and shall continue until October 30, 2019.

**Christine A. Ellwein**, Pierre, was reappointed on November 16, 2016, to the **Board of Massage Therapy**, effective immediately and shall continue until October 30, 2019.

**Richard Hainje**, Hill City, was appointed on November 16, 2016, to the **State Board of Medical and Osteopathic Examiners**, to replace David Lust, effective immediately and shall continue until October 30, 2018.

**Russ Hohn**, Blunt, was appointed on November 16, 2016, to the **Workers' Compensation Advisory Council**, to replace Glen Barber, effective immediately and shall

continue until October 30, 2019.

**Rick Larson**, Huron, was appointed on November 16, 2016, to the **South Dakota Workforce Development Council**, to replace Randy Hanson, effective immediately and shall continue until June 30, 2017.

**Jean Murphy**, Sioux Falls, was appointed on November 16, 2016, to the **Workers' Compensation Advisory Council**, to replace Connie Halverson, effective immediately and shall continue until October 30, 2018.

**Bridget J. Myers**, Sioux Falls, was reappointed on November 16, 2016, to the **Board of Massage Therapy**, effective immediately and shall continue until October 30, 2019.

**Dan Somsen**, Yankton, was appointed on November 16, 2016, to the **State Board of Pharmacy**, to replace Jeff Nielsen, effective immediately and shall continue until October 30, 2019.

**Randy Stainbrook**, Rapid City, was reappointed on November 16, 2016, to the **Workers' Compensation Advisory Council**, effective immediately and shall continue until October 30, 2019.

**David Lust**, District 34, was appointed on November 18, 2016, to the **South Dakota House**, to fill the vacancy created by the passing of Representative Dan Dryden, 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**

<p><b>12-15-2016</b></p>	<p><b>Department of Game, Fish, and Parks</b> Amend a Park License and Trail Use Pass rule to eliminate the park entrance license (PEL) exemption for persons visiting campers assigned to the Youth Forestry Camp in Custer State Park and establish a PEL exemption for members and guests of a South Dakota veterans group, South Dakota National Guard unit, South Dakota military reserve unit, or patients currently admitted to a veterans hospital located in South Dakota and their attendants from the state PEL requirement when participating in a non-competitive event sponsored by a veterans group, National Guard or military reserve unit, or veterans hospital which has obtained an event permit from the manager of the state park where the event is to be held; 43 SDR 79, November 21, 2016.</p>
--------------------------	--

**RULES REVIEW COMMITTEE MEETINGS**

The Interim Rules Review Committee will have an informal meeting near the close of the Ninety-second Legislative Session to set the tentative meeting schedule for the 2017 interim. Watch for a notice of this informal meeting on the LRC website and at the Capitol.

**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>.

