

REGISTER



South Dakota Legislative Research Council

Volume 42

Monday, 8:00 a.m., April 4, 2016

FILINGS IN THE LEGISLATIVE

RESEARCH COUNCIL'S OFFICE: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Health: Division of Health Systems Development and Regulation: (March 30, 2016) intends to repeal a rule regarding medication therapy review. The general authority for this rule, as cited by the department, is SDCL § 34-12-13.

A public hearing will be held at the Hayes Building, Room 107, 600 East Capitol, Pierre, South Dakota, on April 25, 2016, at 10:00 a.m. Copies of the proposed rule may be obtained without charge from and written comments sent to the Department of Health, 600 East Capitol Avenue, Pierre, South Dakota 57501. Copies of the proposed rule may also be obtained at the Health Department website at <http://doh.sd.gov/News> or <http://rules.sd.gov>. Material sent by mail must reach the department by May 5, 2016, 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) 773-3361 at least 48 hours before the hearing.

Department of Health: Division of Family and Community Health: (March 30, 2016) intends to amend rules to add Zika to the reportable disease list and define immunization requirements for early childhood program entry, kindergarten entry, sixth grade entry, and transfer students. The general authority for these rules, as cited by the department, is SDCL §§ 13-28-7.1, 34-1-17, 34-22-9, 34-22-12, and 34-23-13.

A public hearing will be held at the Hayes Building, Room 107, 600 East Capitol, Pierre, South Dakota, on April 27, 2016, at 10:00 a.m. Copies of the proposed rules may be obtained without charge from and written comments sent to the Department of Health, 600 East Capitol Avenue, Pierre, South Dakota 57501. Copies of the proposed rules may also be obtained at the Health Department website at <http://doh.sd.gov/News> or <http://rules.sd.gov>. Material sent by mail must reach the department by May 7, 2016, 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) 773-3361 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Tom Holmes, Sioux Falls, was appointed on March 28, 2016, to the **South Dakota Interagency Coordinating Council**, effective immediately and shall continue until December 31, 2019.

John Bastian, Belle Fourche, was reappointed on March 30, 2016, to the **State Board of Regents**, effective immediately and shall continue until March 31, 2022.

Sarah Brown, Rapid City, was appointed on March 30, 2016, to the **South Dakota Interagency Coordinating Council**, to replace Barb Magera, effective immediately and shall continue until December 31, 2018.

Fern Barnett, Pierre, was appointed on March 30, 2016, to the **South Dakota Interagency Coordinating Council**, to replace Mary Ann Myers, effective immediately and shall continue until December 31, 2018.

Cindy L. Fisher, Kyle, was appointed on March 30, 2016, to the **South Dakota Interagency Coordinating Council**, to replace Anne Reddy, effective immediately and shall continue until December 31, 2018.

Dr. Ramesh Gadam, Pierre, was appointed on March 30, 2016, to the **South Dakota Interagency Coordinating Council**, to replace Shirley Bernie, effective immediately and shall continue until December 31, 2018.

Brittany Green, Pierre, was appointed on March 30, 2016, to the **South Dakota Interagency Coordinating Council**, effective immediately and shall continue until December 31, 2018.

Melody Havranek, Pierre, was appointed on March 30, 2016, to the **South Dakota Interagency Coordinating Council**, to replace Amy Bruner, effective immediately and shall continue until December 31, 2018.

Michele K. Latt, Faulkton, was appointed on March 30, 2016, to the **South Dakota Interagency Coordinating Council**, effective immediately and shall continue until December 31, 2018.

Vicki Linn, Spearfish, was appointed on March 30, 2016, to the **South Dakota Interagency Coordinating Council**, to replace Dr. David Calhoon, effective immediately and shall continue until December 31, 2018.

John Morris, Pierre, was appointed on March 30, 2016, to the **State Board of Podiatry Examiners**, to replace Jeanie Blair, effective immediately and shall continue until October 30, 2018.

Kim McIntosh, Pierre, was appointed on March 30, 2016, to the **State Emergency Response Commission**, to replace Joe Nadenicek, effective immediately.

Pam Roberts, Pierre, was appointed on March 30, 2016, to the **State Board of Regents**, to replace Terry Baloun, effective April 4, 2016, and shall continue until March 31, 2022.

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

4-7-2016	<p>Department of Game, Fish, and Parks Amend Uses of Parks and Public Lands rules to address property that may be left on department lands and create an allowance for portable blinds on department lands and regulate their placement and define and allow use of trail cameras on department lands and regulate their placement; amend Application for License rules to allow an individual to use preference points in the second drawing for elk hunting seasons; amend a Hunting Requirements and Prohibited Methods rule to allow a person to hunt cottontail rabbit, squirrel and predator/varmints with an air gun that is factory-rated to produce a muzzle velocity of no less than 600 feet per second; amend a Goose Hunting Season (August Management Take) to remove all counties from the open area other than that portion of</p>
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	<p>Pennington County west of the Cheyenne River; amend a Black Hills Elk Hunting Season rule to adjust the number of licenses available, make adjustments to existing antlerless hunting units and create new antlerless elk hunting units, set season dates, and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; amend Custer State Park Elk Hunting Season (Any Elk) rules to adjust the number of licenses available and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; amend Custer State Park Early Archery Elk Hunting Season rules to adjust the number of licenses available and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; amend Archery Elk Hunting Season rules to adjust the number of licenses available and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; amend Special Custer State Park Antlerless Elk Hunting Season rules to modify the unit boundaries and change the season dates for CAE-CU1 and CAE-CU2, increase the number of "antlerless elk" licenses, repeal Unit CAE-ZZ1, and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; amend Early Fall Canada Goose Hunting Season and Waterfowl Hunting Seasons rules to modify the boundaries of Units 1 and 2 and change the start date from September 1 to the first Saturday of September; amend Prairie Elk Hunting Season rules to adjust the number of licenses available, amend the unit boundary for Unit 9A, change the season dates for Unit 15A and Unit 27A, and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; and amend Custer State Park Non-Trophy Bison Harvest rules to change the season dates and reduce the number of cow licenses; 42 SDR 131, March 21, 2016.</p>
4-25-2016	<p>Department of Health: Division of Health Systems Development and Regulation Repeal a rule regarding medication therapy review; 42 SDR 139, April 4, 2016.</p>
4-27-2016	<p>Department of Health: Division of Family and Community Health Amend rules to add Zika to the reportable disease list and define immunization requirements for early childhood program entry, kindergarten entry, sixth grade entry, and transfer students; 42 SDR 139, April 4, 2016.</p>
4-28-2016	<p>Department of Transportation Amend a Sturgis Motorcycle Rally temporary limited speed zone on Interstate 90 by extending the 65 mph limit to milepost 55.02 and changing the dates to begin on the Thursday preceding the first full weekend in August and ending the Sunday of the second full weekend in August; amend a Meade County Sturgis Motorcycle Rally temporary limited speed zone on SD Highway 79 by extending the 45 mph limit to 1.75 miles north of the junction of State Trunk Highway 34 east of Sturgis and changing the dates to begin on the Thursday preceding the first full weekend in August and ending the Sunday of the second full weekend in August; and amend a Hughes County speed zone on US Highway 14 beginning 0.2 mile west of 321st Avenue, then east for .076 mile, is being reduced to 55 mph; 42 SDR 135, March 28, 2016.</p>

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on Tuesday, April 12, 2016, via the Digital Dakota Network (DDN) in Room 414, Fourth Floor of the State Capitol. The other DDN site will be: Rapid City – SD School of Mines & Technology, 501 E. St. Joseph St., Public Room. The committee chair has set the following meeting schedule for the 2016 interim: June 1, July 12, August 22,

September 26, and November 14.

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