

REGISTER



South Dakota Legislative Research Council

Volume 42

Monday, 8:00 a.m., June 27, 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 Labor and Regulation: State Plumbing Commission: (June 21, 2016) intends to amend rules to exempt Class 1 and above certified water and wastewater operators from the commission's sewer and water licensing requirements and update the Uniform Plumbing Code references to the 2015 edition. The general authority for these rules, as cited by the commission, is SDCL §§ 36-25-14 and 36-25-15.

A public hearing will be held in the Governor's Inn Conference Room, 700 West Sioux Ave., Pierre, South Dakota, on July 21, 2016, at 11:00 a.m. Copies of the proposed rules may be obtained without charge from the State Plumbing Commission, 308 S. Pierre St., Pierre, South Dakota 57501 or by contacting the office at (605) 773-3429. Written comments may be sent to the State Plumbing Commission and must be received prior to July 21, 2016. Persons who have special needs for which the commission can make arrangements are asked to call (605) 773-3429 prior to the hearing.

NOTICE:

The **Department of Social Services** intends to make the following changes to the South Dakota CHIP State Plan concerning coverage for unborn children from conception to birth when the mother is not eligible for Medicaid effective July 1, 2016. Pursuant to 42 CFR 457.10, the proposed amendment establishes coverage from conception through birth for unborn children

when the mother is not eligible for Medicaid. The proposed SPA provides for pregnancy related prenatal care for the unborn child. The proposed amendment adds page CS9 to Section CS. The department estimates the federal fiscal impact to be \$81,799.95 in FFY2016 and \$245,399.86 in FFY 2017. Written requests for a copy of these changes, and corresponding comments, may be sent to Department of Social Services, Division of Medical Services, 700 Governors Drive, Pierre, South Dakota 57501-2291.

The **Department of Social Services** intends to make the following changes to the South Dakota Medicaid State Plan concerning reimbursement for inpatient hospital services in State Fiscal Year 2017 effective July 1, 2016. The proposed State Plan Amendment (SPA) removes obsolete language pertaining to inpatient hospital reimbursement in State Fiscal Year 2016 and replaces it with language to implement State Fiscal Year 2017 legislative appropriations. The proposed amendment revises pages 1- 2 of Attachment 4.19-A of the South Dakota Medicaid State Plan. The Department estimates the federal fiscal impact associated with this SPA to be \$467,862.75 in Federal Fiscal Year 2016 and \$1,313,588.25 in Federal Fiscal Year 2017. Written requests for a copy of these changes, and corresponding comments, may be sent to Department of Social Services, Division of Medical Services, 700 Governors Drive, Pierre, South Dakota 57501-2291.

The **Department of Social Services** intends to make the following changes to the South Dakota Medicaid State Plan concerning reimbursement for outpatient hospital services in State Fiscal Year 2017 effective July 1, 2016. The proposed

State Plan Amendment (SPA) removes obsolete language pertaining to outpatient hospital reimbursement in State Fiscal Year 2016 and replaces it with language to implement State Fiscal Year 2017 legislative appropriations. The proposed amendment revises page 1b of Attachment 4.19-B of the South Dakota Medicaid State Plan. The Department estimates the federal fiscal impact associated with this SPA to be \$211,748.50 in Federal Fiscal Year 2016 and \$635,245.50 in Federal Fiscal Year 2017. Written requests for a copy of these changes, and corresponding comments, may be sent to Department of Social Services, Division of Medical Services, 700 Governors Drive, Pierre, South Dakota 57501-2291.

Kay Schallenkamp, Spearfish, was appointed on June 15, 2016, to the **South Dakota Board of Education**, to replace Julie Mathiesen, effective immediately and shall continue until December 31, 2016.

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.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Conrad T. Adam, Pierre, was appointed on June 15, 2016, to the **State Board of Regents**, to replace Joseph Schartz, effective immediately and shall continue until July 1, 2018.

REMINDER OF HEARINGS SCHEDULED

<p>7-7-2016</p>	<p>Department of Game, Fish, and Parks Amend Uses of Parks and Public Lands rules to clarify that the time restrictions applicable to use of the state park system and use of public hunting areas and lake access areas apply to persons who not only enter, but also use or occupy, the areas designated in rule, and repeal a redundant rule that restricts use of bicycles to certain designated areas in Newton Hills State Park and Lewis and Clark State Recreation Area; amend Camping Permits and Rules to limit occupation of a campsite at any state park, recreation area or lakeside use area to 14 consecutive nights and require a person to remove their camping unit from the campsite by check-out time the day following the 14th night for at least one night before reserving the site, or another site, at that location and revise the manner in which campers make reservations for campsites in campgrounds; amend a Possession, Processing and Transportation of Game rule to exempt licensed private shooting preserves from the records requirements set forth in ARSD § 41:06:03:11; amend a Sage Grouse Hunting Season rule and an Application for License rule to establish a two-day season to consist of all public land and private land leased as Walk-In Areas in Harding County and west of US Highway 85 in Butte County, bag limit of one sage grouse per hunter per season, offer 40 licenses allocated by a limited drawing process; amend Fall Wild Turkey Hunting Season rules to set the number of licenses for the Prairie units, dissolve the West River Prairie Unit and in substitute, offer license specific allocations for Unit 30A (Gregory</p>
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	County), Unit 50A (Mellette County), and Unit 53A (Perkins County and that portion of Meade County north of US Highway 212), modify Unit 08A (Davison and Hanson counties) to include an area within immediate vicinity around the city of Mitchell, change the designation of Unit NE1 (Northeast South Dakota) to Unit 48A (Marshall and Roberts counties) and retain the same geographic area open for the fall season, repeal language which limits a person to two fall turkey licenses, and remove the language depicting the license type and number of license from each hunting unit and substitute with the cumulative number of single and multiple tag licenses; amend Antelope Hunting Season rules to add language to clarify that if no licenses are allocated for a specific hunting unit, that unit is dissolved for the purposes of designating areas open to hunting as it pertains to the archery antelope season and the provisions of codified law which describes reduced fee licenses for landowner on own land licenses, and remove the language depicting the license type and number of licenses from each hunting unit and substitute with the cumulative number of single and multiple tag licenses; amend Pheasant Hunting Season for Disabled Veterans rules to establish special pheasant hunts for qualifying disabled resident and nonresident veterans by allowing any nonprofit organization to establish special one-or-two day pheasant hunts during the months of October and November and repeal a rule that requires a disabled veteran be confined to a wheelchair; and amend a Private Shooting Preserves rule to increase the number of harvested preserve birds without plumage attached that may be enclosed in a vacuum-sealed or shrink-wrapped package; 42 SDR 181, June 20, 2016.
7-8-2016	Department of Labor and Regulation: Appraiser Certification Program Amend rules to allow appraisers to submit appraisals for compliance review midway through the experience hours required to upgrade to a higher level of licensure or certification; add midway review upgrade fees; establish allegation of non-compliance as the first step for initiation of an investigation and prior to formal complaint charges; and replace the term anonymous complaint with allegation of non-compliance; 42 SDR 177, June 13, 2016.
7-12-2016	Department of Agriculture: Animal Industry Board Amend rules to change and update current language of reference material; 42 SDR 181, June 20, 2016.
7-21-2016	Department of Labor and Regulation: State Plumbing Commission Amend rules to exempt Class 1 and above certified water and wastewater operators from the commission's sewer and water licensing requirements and update the Uniform Plumbing Code references to the 2015 edition; 42 SDR 185, June 27, 2016.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on Tuesday, July 12, 2016, in Room 414, Fourth Floor of the State Capitol. The committee chair has set the following meeting schedule for the 2016 Interim: 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://www.sdlegislature.gov/Rules/RulesManual.aspx>.

