

# REGISTER



## South Dakota Legislative Research Council

Volume 43

Monday, 8:00 a.m., October 24, 2016

**FILINGS IN THE LEGISLATIVE RESEARCH COUNCIL'S OFFICE:**  
(None)

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

### Executive Orders:

The Governor has signed **Executive Order 2016-08** dated October 17, 2016. This order declares that the offices for state government, within the executive branch, shall be administratively closed on Friday, November 25, 2016, and at noon on Friday, December 23, 2016.

The Governor has signed **Executive Order 2016-09** dated October 19, 2016. This order declares a state of emergency to exist in Jackson County and authorize such functions of state

government as necessary to provide relief and assistance for the Cottonwood fire. The fire hazard incident period shall begin October 16, 2016, and terminate on October 21, 2016. This executive order shall expire on December 31, 2016. A copy of the Executive Orders may be obtained from the Secretary of State's office.

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

<b>10-25-2016</b>	<b>Department of Agriculture: Division of Agricultural Services</b> Amend rules to maintain compliance in the dairy industry at the farm and plant level to meet Grade "A" requirements and maintain interstate shipment of milk and milk products as determined by FDA Milk Safety Branch and update references; adopt current seed inspection procedures and update references to the Rules for Testing Seed; require that protective spill equipment be used to unload commercial fertilizer and update references to publications; 43 SDR 61, October 11, 2016.
<b>10-26-2016</b>	<b>Bureau of Human Resources: Civil Service Commission</b> Amend a rule to allow an out-of-state law enforcement officer, who is currently certified or has been in the last two years, to be placed on the requisition list without taking a written exam and specify the appointing authority shall determine the minimum score for the written exam; 43 SDR 55, October 3, 2016.
<b>10-27-2016</b>	<b>Department of Transportation</b> Amend rules to add a definition of "wireless infrastructure" that apply to utility accommodations in noninterstate rights-of-way, prohibit installation of wireless infrastructure in the noninterstate highway right-of-way, include the statement that

	installation of wireless infrastructure in the interstate highway right-of-way is prohibited, and make the definition of wireless infrastructure that is proposed for utility accommodations in noninterstate right-of-way also apply to utility accommodations in interstate right-of-way; 43 SDR 56, October 3, 2016.
<b>11-3-2016</b>	<b>Department of Game, Fish, and Parks</b> Amend a Uses of Parks and Public Lands rule to allow for removal of shed antlers from state-owned lands; amend Spring Wild Turkey Hunting Season rules to set the number and types of licenses available for the Prairie Units, make adjustments to the Black Hill and Unit 49A (Meade County) unit boundaries as outlined in the South Dakota Wild Turkey Management Plan, 2016-2020, set the number of archery turkey access permits for Adams Homestead and Nature Preserve, and remove the language in rule depicting the license type and number of licenses from each hunting unit; amend Fishing Seasons and Methods rules to allow anglers to keep a legally caught possession limit of fish while on the ice, allow anglers to clean fish species, while on the ice, that do not have water-specific size restrictions, and require that fish possessed on the ice adhere to the transportation rule that requires fish to be readily countable; and amend Aquatic Invasive Species rules to add Red Swamp Crayfish to the list of invertebrate aquatic invasive species, allow for the transport of aquatic invasive species by an employee of a business that has been approved by the department to transport a boat or motorboat to a facility for the purpose of aquatic invasive species removal, and allow a person who has been authorized by the department to transport their own watercraft to a department-approved facility for immediate decontamination, remove the exception in rule that allows all drain plugs, bailers or valves in trailered boats to be closed or remain in place during transport from a boat ramp parking area to an immediately-adjacent fish cleaning station, and remove the exception in rule that allows fish or aquatic bait to be transported in water obtained from a lake, river, or stream from a boat ramp parking area to an immediately-adjacent fish cleaning station; 43 SDR 65, October 17, 2016.
<b>11-4-2016</b>	<b>Department of Labor and Regulation: Board of Technical Professions</b> Amend a rule to add deadlines for national examinations that will be moved to computer based testing (CBT); 43 SDR 65, October 17, 2016.
<b>11-15-2016</b>	<b>Department of Education: Board of Education</b> Amend a Share Services Grants rule to make it clear that individual school districts will be reimbursed for expenses in order to ensure accurate accounting documentation of grant funds; 43 SDR 65, October 17, 2016.

### RULES REVIEW COMMITTEE MEETINGS

The last regular meeting of the Interim Rules Review Committee will be held on Monday, November 14, 2016, in Room 414, Fourth Floor of the State 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>.