

REGISTER



South Dakota Legislative Research Council

Volume 43

Monday, 8:00 a.m., March 6, 2017

FILINGS IN THE LEGISLATIVE RESEARCH COUNCIL'S OFFICE:

Notice of Proposed Administrative Rules:

(The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Revenue: South Dakota Lottery

Commission: (February 28, 2017) intends to adopt rules to authorize and establish the parameters to offer the Lucky for Life game. The general authority for these rules, as cited by the commission, is SDCL § 42-7A-21.

A public hearing will be held in Room 412, 4th floor, State Capitol, Pierre, South Dakota, on March 24, 2017, at 10:00 a.m. CT. Copies of the proposed rules may be obtained from and written comments sent to the Department of Revenue, Legal Division, 445 East Capitol Avenue, Pierre, SD 57501-3185. Copies of the rules are also available at http://dor.sd.gov/Publications/Public_Notices/PDFs/LuckyforLiferules2017.pdf or at <http://rules.sd.gov/>. Material sent by mail must

reach the department by March 23, 2017, 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) 773-4701 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE: (None)

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

3-9-2017	Department of Health: Board of Medical and Osteopathic Examiners Amend rules to update outdated language related to examinations, licensing and continuing education; 43 SDR 115, February 21, 2017.
3-16-2017	Department of Education: SD School Finance and Accountability Board Adopt rules to establish an appeals process and a set of factors that will be used to determine if a school district be recommended for a waiver from their accountabilities in regards to teacher compensation as outlined in SDCL 13-13-73.6; 43 SDR 109, February 6, 2017.
3-20-2017 Prior hearing held on 1-19-2017	Department of Education: Board of Education Amend rules to update the state certification process for educators to: streamline the certification process; eliminate unnecessary barriers to the certification process; and ensure educators meet the minimum content and pedagogical knowledge requirements

	expected of them prior to being certified; 43 SDR 95, January 3, 2017.
3-20-2017	Department of Education: Board of Education Amend Special Education and Career and Technical Education rules to replace obsolete citations to Article 24:15 with citations to the updated certification requirements in Article 24:28; repeal Certification rules in Article 24:15 that were made obsolete by the updated certification rules in Article 24:28; amend a Certificate Denial and Discipline Procedures rule to replace obsolete citations to Article 24:15 with citations to the updated certification requirements in Article 24:28; amend Accreditation and School Improvement rules to update references with the rule to the applicable preparation and certification requirements and remove language which limits certificate holders based on school structure and repeal the waiver route for noncertified administrators; and amend a Teacher Preparation Program Approval rule to replace obsolete citations to Article 24:15 with citations to the updated certification requirements in Article 24:28; 43 SDR 119, February 27, 2017.
3-22-2017	Department of Revenue: SD Commission on Gaming Amend Racing rules to clarify the penalty for use of illegal substances, repeal 20:04:27:13 to allow therapeutic medication to be used, allow the use and administration of furosemide, clarify the use of certain therapeutic medications, allow the Commission and stewards to impose penalties which may be considered by other racing jurisdictions and allow the Commission and stewards to consider a trainer's pattern of drug or medication violations in other jurisdictions when determining a penalty for violations in South Dakota; 43 SDR 119, February 27, 2017.
3-24-2017	Department of Revenue: South Dakota Lottery Commission Adopt rules to authorize and establish the parameters to offer the Lucky for Life game; 43 SDR 123, March 6, 2017.
4-10-2017	Department of Health: Board of Massage Therapy Amend rules relating to applications, temporary permits and inactive licenses, clarify the educational requirements for licensure or a temporary permit, increase the fees for an initial license, renewed license, inactive license and temporary permit, clarify the time period of a continuing education cycle and a licensee's continuing education requirements and recordkeeping requirements, repeal unnecessary rules regarding the board's complaint process, clarify the malpractice insurance requirements of a licensee or temporary permit holder and recordkeeping requirements, clarify the requirements for requesting an inactive license, and updating the list of facilities recognized by the board to provide the education necessary to meet the requirements for licensure; 43 SDR 109, February 6, 2017.

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>.