

REGISTER

South Dakota Legislative Research Council



Volume 29

Monday, 8:00 a.m., March 31, 2003

A COPY OF EACH REGISTER IS FILED IN THE OFFICE OF THE SECRETARY OF STATE

NOTICES OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Commerce And Regulation: Board of Nursing and Joint Board of Nursing and Board of Medical and Osteopathic Examiners: (March 26, 2003) intends to adopt rules that will raise the licensure fees charged for all categories of nurse licensure; RN, LPN, Clinical Nurse Specialist, Certified Registered Nurse Anesthetist, Certified Nurse Practitioners, and Certified Nurse Midwives. The general authority for these rules, as cited by the department, are SDCL 36-9-21, 36-9-91, and 36-9A-26.

A public hearing will be held at 9:00 a.m. CST on April 23, 2003, via the Digital Dakota Network (DDN) at Southeast Technical Institute, Mickelson Education Center, Room 205, 2301 Career Place, Sioux Falls, South Dakota and at the DDN at Rapid City Regional Hospital, Education Services Department, 353 Fairmont Blvd., Rapid City, South Dakota. Copies of the proposed rules may be obtained without charge from and written comments sent to the Board of Nursing, 4305 South Louise Avenue, Suite 201, Sioux Falls, South Dakota 57106. Written comments must be received on or before April 21, 2003, to be considered. For access assistance, handicapped persons may call the Board of Nursing at (605) 362-2760 before the public hearing.

Department of Health: (March 28, 2003) intends to adopt rules to clarify the types of professionals eligible for the Health Professional Recruitment Incentive Program, and the process used to select applications. The

general authority for these rules, as cited by the department, is SDCL 1-16A-73.18.

A public hearing will be held in the Health Building, Room 107, 600 East Capitol Avenue, Pierre, South Dakota, on May 8, 2003, at 9:00 a.m. Copies of the proposed rules may be obtained without charge from and written comments sent to South Dakota Department of Health, Attn: Colleen Kozel, 600 East Capitol Avenue, Pierre, South Dakota 57501. Copies of the proposed rules may also be obtained at the Health Department website:

<http://www.state.sd.us/doh/News/index.htm> Material sent by mail must be received by May 18, 2003, 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:

Administrative Rules:

Department of Agriculture: Division of Ag Development: 12:21:01:09.

History-Notice: 29 SDR 87, Dec. 9, 2002
Hearing: February 27, 2003
Filed: March 24, 2003
Effective: April 13, 2003

Executive Appointments:

Jack Broome, Burke, was reappointed on March 14, 2003, to the **South Dakota Board of Education**, effective immediately and shall continue until December 31, 2006.

Mary Peterson, Sioux Falls, was reappointed on March 14, 2003, to the **South Dakota Professional Administrators Practices and Standards Commission**, effective immediately and shall continue until December 31, 2005.

Brad Meeks, Aberdeen, was appointed on March 24, 2003, to the **South Dakota Professional Administrators Practices and Standards Commission**, effective immediately and shall continue until December 31, 2006.

Scott Gannaway, Pierre, was appointed on March 24, 2003, to the **South Dakota Professional Administrators Practices and Standards Commission**, effective immediately and shall continue until December 31, 2003.

Rhonda Goss, De Smet, was appointed on March 24, 2003, to the **South Dakota Professional Teachers Practices and Standards Commission**, effective immediately and shall continue until December 31, 2006.

Jayne Siefken, Sioux Falls, was appointed on March 24, 2003, to the **South Dakota Professional Administrators Practices and Standards Commission**, to replace Denise Larson, effective immediately and shall continue until December 31, 2004.

Robert Gill, Pierre, was appointed on March 24, 2003, to the **South Dakota Professional Teachers Practices and Standards Commission**, to replace Barb Rowenhorst, effective immediately and shall continue until December 31, 2004.

Jan Newman, Watertown, was appointed on March 24, 2003, to the **South Dakota Professional Teachers Practices and Standards Commission**, to replace Nancy Ekstrum, effective immediately and shall continue until December 31, 2004.

Lori Sutton, Sioux Falls, was appointed on March 24, 2003, to the **South Dakota Professional Teachers Practices and Standards Commission**, to replace Sharon Lust, effective immediately and shall continue until December 31, 2003.

Joan Adam, Pierre, was appointed on March 24, 2003, to the **State Board of Dentistry**, effective immediately and shall continue until July 1, 2008.

Randy Sachau, Spearfish, was appointed on March 24, 2003, to the **State Board of Dentistry**, effective immediately and shall continue until July 1, 2008.

Bradley Johnson, Watertown, was appointed on March 24, 2003, to the **Board of Water and Natural Resources**, effective immediately and shall continue until July 1, 2007.

Kaye Neller, Mitchell, was appointed on March 24, 2003, to the **Board of Social Services**, effective immediately and shall continue until July 1, 2007.

Clinton Waara, Sioux Falls, was appointed on March 24, 2003, to the **Commission on Human Rights**, effective immediately and shall continue until June 30, 2007.

Bernie Hunhoff, Yankton, was appointed on March 24, 2003, to the **Commission on Human Rights**, effective immediately and shall continue until June 30, 2007.

Note: A copy of the rules may be obtained directly from the above agencies. 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 Commerce and Regulation for commercial driver licensing, the Department of Labor for Article 47:03, and the Department of Revenue.

REMINDER OF HEARINGS SCHEDULED

4-2-2003	Agriculture: Division of Agricultural Services	Amend rules to clarify the locally noxious weed list; and remove the prairie dog from the statewide declared list of pests; 29 SDR 127.
4-3-2003	Agriculture: Animal Industry Board	Amend rules regarding Johne's disease and clarify who may intentionally remove official identifications of animals; 29 SDR 129.
4-3-2003	Game, Fish and Parks	Amend hunting seasons, fees, and application for licenses; 29 SDR 129.
4-23-2003	Commerce & Regulation: Board of Nursing and Joint Board of Nursing and Board of Medical and Osteopathic Examiners	Amend licensure fees; 29 SDR 135.
5-8-2003	Health	Amend rules under the Health Professional Recruitment Incentive Program; 29 SDR 135.

Rules Review Committee Meetings

The first meeting of the Interim Rules Review Committee will be held Tuesday, April 15 in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2003 interim: May 13, June 10, August 5, September 8, October 6, and November 19.

Agencies whose rules have had a public hearing will be scheduled to meet with the Rules Review Committee and are asked to have a representative present at the meeting to give background information on their rules.

Note: An updated version of the Administrative Rules Guide to Form and Style is now available at the LRC office and on the LRC web site.

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