

# REGISTER



## South Dakota Legislative Research Council

Volume 42

Monday, 8:00 a.m., April 18, 2016

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### 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:** (April 11, 2016) intends to amend rules to outline revised minimum staffing requirements for ambulance service personnel. The general authority for these rules, as cited by the department, is SDCL §§ 34-11-5 and 34-11-6.1.

A public hearing will be held at the Hayes Building, Room 107, 600 East Capitol, Pierre, South Dakota, on May 4, 2016, at 11:00 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 14, 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.

**Office of the Secretary of State:** (April 13, 2016) intends to amend rules to update notary public application and change forms, update Uniformed Commercial Code rules, repeal outdated Business Trust and Farm Corporations and Syndicates rules, revise the charges for absentee voting information, and revise the additional registration fee for reprinting lobbyists' badges. The general authority for

these rules, as cited by the office, is SDCL §§ 2-12-3, 12-4-39, 18-1-1, and 57A-9-526.

A public hearing will be held in Suite 204, 2<sup>nd</sup> Floor, State Capitol, Pierre, South Dakota, on May 23, 2016, at 8:30 a.m. Copies of the proposed rules may be obtained without charge from and written comments sent to the Secretary of State, 500 East Capitol, Suite 204, Pierre, South Dakota 57501. Written comments must be received on or before May 23, 2016, to be considered at the hearing. Additional written comments will be received until June 2, 2016. This hearing is being held in a physically accessible place. Persons who have special needs for which the office can make arrangements are asked to call (605) 773-3537 at least 48 hours before the hearing.

**Department of Education: Board of Education:** (April 15, 2016) intends to amend Public School Accountability System rules to make changes for purposes of carrying over classifications from the 2014-15 report card to the 2015-16 report card. The general authority for these rules, as cited by the board, is SDCL § 13-3-69.

A public hearing will be held at Northern State University, Student Center Centennial Rooms A & B West, 1200 S. Jay St., Aberdeen, South Dakota, on May 16, 2016, at 10:30 a.m. CT. Copies of the proposed rules may be obtained without charge from the Department of Education, Attn: Ferne Haddock, 800 Governors Drive, Pierre, South Dakota 57501 or at <http://www.doe.sd.gov/board/index.aspx>. Written comments may be sent to the board at the address above or at this website:

<https://rules.sd.gov/default.aspx>. Material sent by mail must be received by May 13, 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) 773-3553 at least 48 hours before the hearing.

**Department of Labor and Regulation: Division of Insurance:** (April 15, 2016) intends to amend rules to update the sources referenced in rule and incorporate the 2016 Medicare coverage amounts. The general authority for these rules, as cited by the department, is SDCL §§ 58-3-11, 58-3-26, 58-4-48, 58-6-75, 58-26-13.1, 58-26-46, 58-27-7, and 58-27-108.

A public hearing will be held in the West River Conference Room, 124 South Euclid Avenue, 2<sup>nd</sup> Floor, Pierre, South Dakota, on May 9, 2016, at 9:00 a.m. Paper copies of the proposed rules may be obtained without charge from and written comments sent to the Division of Insurance, Administrative Rules, 124 South Euclid Avenue, 2<sup>nd</sup> Floor, Pierre, South Dakota 57501. The text of the proposed rules will be posted on the department's website:

[http://dlr.sd.gov/insurance/legal/public\\_hearings.aspx](http://dlr.sd.gov/insurance/legal/public_hearings.aspx). The rules may also be obtained as a Microsoft Word attachment by emailing [mallori.barnett@state.sd.us](mailto:mallori.barnett@state.sd.us). 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) 773-3563 at least 48 hours before the hearing.

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

**BUREAU OF ADMINISTRATION:**  
10:02:02:01 and 10:02:02:02.

History-Notice: 42 SDR 105, January 11, 2016  
Hearing: January 29, 2016  
Filed: April 12, 2016  
Effective: May 2, 2016

#### **DEPARTMENT OF REVENUE: COMMISSION ON GAMING:**

20:18:15:01.01, 20:18:15:30.11,  
20:18:15:30.15; 20:18:16:15.15; 20:18:17:02,  
and 20:18:17:24.02.

History-Notice: 42 SDR 123, Feb. 29, 2016  
Hearing: March 16, 2016  
Filed: April 13, 2016  
Effective: May 3, 2016

#### **DEPARTMENT OF GAME, FISH AND PARKS:** 41:05:02:68.

History-Notice: 42 SDR 117, Feb. 16, 2016  
Hearing: March 3, 2016  
Filed: April 15, 2016  
Effective: May 5, 2016

#### **DEPARTMENT OF GAME, FISH AND PARKS:** 43:03:01:02, 41:03:01:19,

41:03:01:36; 41:06:01:09, 41:06:01:10,  
41:06:01:15, 41:06:16:07; 41:06:26:01,  
41:06:26:02; 41:06:27:01, 41:06:27:02;  
41:06:28:01, 41:06:28:02; 41:06:43:01,  
41:06:43:02; 41:06:47:01, 41:06:47:02;  
41:06:50:02; 41:06:59:01, 41:06:59:02;  
41:06:60:01, and 41:06:60:02.

History-Notice: 42 SDR 131, March 21, 2016  
Hearing: April 7, 2016  
Filed: April 15, 2016  
Effective: May 5, 2016

#### **DEPARTMENT OF HEALTH: BOARD OF MEDICAL AND OSTEOPATHIC**

**EXAMINERS:** 20:64:02:01, 20:64:02:03;  
20:64:04:03; 20:83:04:01, and 20:83:04:02.

History-Notice: 42 SDR 112, Feb. 1, 2016  
Hearing: March 3, 2016  
Filed: April 15, 2016  
Effective: May 5, 2016

**Executive Appointments:**

**Sharon L. Casey**, Chamberlain, was reappointed on April 4, 2016, to the **Board of Economic Development**, effective April 20, 2016, and shall continue until April 19, 2020.

**Tom Jones**, Viborg, was reappointed on April 4, 2016, to the **Board of Economic Development**, effective April 20, 2016, and shall continue until April 19, 2020.

**Bill Markley**, Pierre, was appointed on April 6, 2016, to the **South Dakota Board on Geographic Names**, to replace Joe Nadenicek, effective immediately.

**Greg Rislov**, Pierre, was appointed on April 8, 2016, to the **Western Interstate Energy Board**, effective immediately.

**Tregg Cronin**, Gettysburg, was appointed on April 12, 2016, to the **Wheat Utilization Research and Marketing Development Commission**, to replace Darrell Davis, effective immediately and shall continue until October 30, 2017.

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>4-25-2016</b>	<b>Department of Health: Division of Health Systems Development and Regulation</b> Repeal a rule regarding medication therapy review; 42 SDR 139, April 4, 2016.
<b>4-27-2016</b>	<b>Department of Health: Division of Family and Community Health</b> 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.
<b>4-28-2016</b>	<b>Department of Transportation</b> 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 321 <sup>st</sup> Avenue, then east for .076 mile, is being reduced to 55 mph; 42 SDR 135, March 28, 2016.
<b>5-4-2016</b>	<b>Department of Health: Division of Health Systems Development and Regulation</b> Amend rules to outline revised minimum staffing requirements for ambulance service personnel; 42 SDR 145, April 18, 2016.
<b>5-9-2016</b>	<b>Department of Labor and Regulation: Division of Insurance</b> Amend rules to update the sources referenced in rule and incorporate the 2016 Medicare coverage amounts; 42 SDR 146, April 18, 2016.
<b>5-16-2016</b>	<b>Department of Education: Board of Education</b> Amend Public School Accountability System rules to make changes for purposes of

	carrying over classifications from the 2014-15 report card to the 2015-16 report card; 42 SDR 145, April 18, 2016.
<b>5-23-2016</b>	<b>Office of the Secretary of State</b> Amend rules to update notary public application and change forms, update Uniformed Commercial Code rules, repeal outdated Business Trust and Farm Corporations and Syndicates rules, revise the charges for absentee voting information, and revise the additional registration fee for reprinting lobbyists' badges; 42 SDR 145, April 18, 2016.

### RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on Wednesday, June 1, 2016, in Room 414, Fourth Floor of the State Capitol. The committee chair has set the following meeting schedule for the 2016 interim: 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>.