

REGISTER



South Dakota Legislative Research Council

Volume 42

Monday, 8:00 a.m., July 20, 2015

NOTICE OF PROPOSED RULES: (None)

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Dr. Robert V. Burns, Brookings, was reappointed on July 1, 2015, to the **Western Interstate Commission for Higher Education**, effective immediately and shall continue until June 30, 2019.

Dr. Michael Rush, Pierre, was appointed on July 1, 2015, to the **Western Interstate Commission for Higher Education**, to replace Dr. Jack Warne, effective immediately and shall continue until June 30, 2019.

Michelle DeNeui, Spearfish, was appointed on July 2, 2015, to the **South Dakota 911 Coordination Board**, to replace Tracy Turbak, effective immediately and shall continue until June 30, 2018.

Gary I. Jaeger, Goodwin, was reappointed on July 2, 2015, to the **South Dakota 911 Coordination Board**, effective immediately and shall continue until June 30, 2018.

Jody Sawvell, Quinn, was reappointed on July 2, 2015, to the **South Dakota 911 Coordination Board**, effective immediately and shall continue until June 30, 2018.

Margaret V. Gillespie, Alcester, was reappointed on July 6, 2015, to the **South Dakota Athletic Commission**, effective immediately and shall continue until June 30, 2018.

Brian J. Bonde, Sioux Falls, was reappointed on July 9, 2015, to the **State Arts Council**, effective immediately and shall continue until June 30, 2018.

Mary B. Bordeaux, Rapid City, was reappointed on July 9, 2015, to the **State Arts Council**, effective immediately and shall continue until June 30, 2018.

Peter C. Bullene, Watertown, was reappointed on July 9, 2015, to the **Board of Minerals and Environment**, effective immediately and shall continue until June 30, 2018.

Lynne M. Byrne, Sioux Falls, was reappointed on July 9, 2015, to the **State Arts Council**, effective immediately and shall continue until June 30, 2018.

Lynda K. Clark-Adelstein, Rapid City, was reappointed on July 9, 2015, to the **State Arts Council**, effective immediately and shall continue until June 30, 2018.

Ken Cotton, Wagner, was appointed on July 9, 2015, to the **South Dakota Real Estate Commission**, to replace Paula Lewis, effective immediately and shall continue until April 15, 2018.

Linda K. Hilde, Madison, was reappointed on July 9, 2015, to the **Board of Minerals and Environment**, effective immediately and shall continue until June 30, 2018.

Michael A. Kilmer, Belle Fourche, was reappointed on July 9, 2015, to the **South Dakota Athletic Commission**, effective

immediately and shall continue until June 30, 2018.

Matthew D. Krogman, Brookings, was reappointed on July 9, 2015, to the **South Dakota Real Estate Commission**, effective immediately and shall continue until April 11, 2018.

Mary McClure Bibby, Brookings, was reappointed on July 9, 2015, to the **Commission on Equal Access to Our Courts**, effective immediately and shall continue until June 30, 2018.

Steven Thingelstad, Black Hawk, was appointed on July 9, 2015, to the **Board of Technical Professions**, to replace Leonard Neugebauer, effective immediately and shall continue until April 15, 2018.

John Bastian, Belle Fourche, was appointed on July 10, 2015, to the **Council on Higher Education Policy Goals**, to replace Kathryn Johnson, effective immediately.

Jeff Holcomb, Sioux Falls, was appointed on July 10, 2015, to the **Council on Higher Education Policy Goals**, to replace Greg Von Wald, effective immediately and shall continue until June 30, 2016.

Tom Jackson Jr., Spearfish, was appointed on July 10, 2015, to the **Council on Higher Education Policy Goals**, to replace David Chicoine, effective immediately and shall continue until June 30, 2016.

Timothy M. Mitchell, Rapid City, was reappointed on July 10, 2015, to the **Council on Higher Education Policy Goals**, effective immediately and shall continue until June 30, 2016.

Douglas C. Morrison, Sioux Falls, was reappointed on July 10, 2015, to the **Council on Higher Education Policy Goals**, effective immediately and shall continue until June 30, 2016.

Dr. Mike Rush, Pierre, was appointed on July 10, 2015, to the **Council on Higher Education Policy Goals**, to replace Jack Warner, effective immediately.

Terry J. Sabers, Mitchell, was reappointed on July 10, 2015, to the **Council on Higher Education Policy Goals**, effective immediately and shall continue until June 30, 2016.

Kevin V. Schieffer, Sioux Falls, was appointed on July 10, 2015, to the **Council on Higher Education Policy Goals**, to replace Randy Schaefer, effective immediately.

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

7-23-2015	<p>Transportation Amend a Speed Limits rule in Campbell County on Highway 10 in Pollock; amend a Speed Limits rule in Jackson County on Highway 44 in Interior and south of the Badlands National Park boundary; and adopt Movement of Oversize or Overweight Vehicles rules to create an extended period emergency declaration permit and an extended period emergency declaration fleet permit; 42 SDR 1, July 6, 2015.</p>
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7-27-2015	Education: Board of Education Amend a Career and Technical education rule to increase the postsecondary technical institute per student allocation to the level set for fiscal year 2016 by the Legislature; repeal an Application for Certificate rule regarding revoking, suspending, or voiding a certificate; amend Certification rules to clarify the test required to obtain a 7-12 mathematics endorsement and create a 7-12 intermediate mathematics endorsement; amend a Certificate Denial and Discipline Procedures rule to detail the procedures for the denial of an application for a certificate, the duration of an order imposing discipline, the procedures for reinstatement, and the public or private nature of disciplinary records; and repeal the tuition equalization grant program, Robert C. Byrd honors scholarship program, Christa McAuliffe fellowship program, school term length grades 1-3, and teacher compensation program rules; 42 SDR 2, July 6, 2015.
7-30-2015	Agriculture: Division of Ag Development Adopt rules to establish a Water Drainage Mediation program; 42 SDR 1, July 6, 2015.
7-30-2015	Revenue: South Dakota Lottery Commission Amend a rule to allow a change to the Powerball game matrix and include the 10X multiplier for Power Play in certain defined instances; 42 SDR 1, July 6, 2015.
7-31-2015	Public Safety Amend rules to increase the amount of time allowed to appeal an administrative driver license action, to repeal unnecessary driver license rules, update commercial driver license language to conform to federal standards and 2015 legislation, update the prorated fees for licenses or identification cards issued to those under 21, and update the adoption of Commercial Vehicle Safety Alliance standards; 42 SDR 2, July 6, 2015.
8-6-2015	Game, Fish and Parks Amend Waterfowl Hunting Seasons rules to decrease the daily bag limit for scaup from 3 to 2 contingent upon approval by the U.S. Fish and Wildlife Service; increase the number of hunting days for white-fronted geese from 72 to 86 consecutive days contingent upon approval by the U.S. Fish and Wildlife Service, and remove the bald eagle (<i>Haliaeetus leucocephalus</i>) from the list of state threatened birds; 42 SDR 5, July 13, 2015.
7-27-2015 8-26-2015	Health: Division of Health Systems Development and Regulation Amend rules to update and create separate Articles for each health care provider currently regulated in Article 44:04, to allow facilities the ability to consider inclusion of operators of X ray equipment to meet federal provisions of electronic health records, and designate geographic areas for the redistribution of nursing facility beds; 42 SDR 2, July 6, 2015.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on Monday, July 20, 2015, via the Digital Dakota Network (DDN) in Room 414, Fourth Floor of the State Capitol. Other DDN sites will be: Huron – DHS, 2361 Dakota Ave. S; and Spearfish – Black Hills State University, 1200 University Station, Room LIB11. The committee chair has set the following tentative meeting schedule for the 2015 interim: August 17, September 21, November 9, and December 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>.

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