

REGISTER



South Dakota Legislative Research Council

Volume 43

Monday, 8:00 a.m., August 15, 2016

FILINGS IN THE LEGISLATIVE RESEARCH COUNCIL'S OFFICE:

Notice of Proposed Rules: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Bureau of Administration: Obligation Recovery Center: (August 9, 2016) intends to adopt rules to establish specific procedures that must be followed by the Obligation Recovery Center in handling debt and by any state agency, Unified Judicial System, Board of Regents, or constitutional office that refers debt to the Obligation Recovery Center. The general authority for these rules, as cited by the bureau, is SDCL §§ 1-55-14 and 1-55-15.

A public hearing will be held in the Department of Environment and Natural Resources Conference Room, Foss Building, Pierre, South Dakota, on September 1, 2016, at 2:00 p.m. CT. Copies of the proposed rules may be obtained without charge from and written comments sent to the Bureau of Administration, 500 East Capitol, Pierre, SD 57501. Material sent by mail must reach the bureau by August 31, 2016, to be considered. The deadline for submission of written material is September 12, 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) 773-3688 at least 48 hours before the hearing.

Department of Education: Board of Education: (August 12, 2016) intends to amend rules to add private, non-profit entities that provide specialized career and technical services and education to the list of eligible recipients for

Workforce Education Grants. The general authority for these rules, as cited by the board, is SDCL § 13-13-90.

A public hearing will be held at the MacKay Building, First Floor, Library Commons, 800 Governors Drive, Pierre, South Dakota, on September 20, 2016, at 10:30 a.m. CDT. Copies of the proposed rules may be obtained without charge from the Department of Education, Attn: Ferne Haddock, 800 Governors Drive, Pierre, SD 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 September 19, 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.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Correction to 43 SDR 16 – Lines 3 and 4:

~~DEPARTMENT OF LABOR AND REGULATION~~ HEALTH: STATE BOARD OF DENTISTRY:

Executive Appointments:

Jaret Heise, Lead, was appointed on July 28, 2016, to the **Research and Commercialization Council**, to replace Patricia Lebrun, effective immediately and shall continue until June 30, 2018.

Ann Lesch, De Smet, was appointed on July 28, 2016, to the **Board of Tourism**, to replace Jim Schade, effective immediately and shall continue until June 30, 2020.

Tammy L. Ugofsky, Yankton, was reappointed on July 28, 2016, to the **Cosmetology Commission**, effective immediately and shall continue until April 14, 2021.

Mark W. Wahlstrom, Sioux Falls, was reappointed on July 28, 2016, to the **South Dakota Real Estate Commission**, effective immediately and shall continue until April 11, 2019.

Roger G. Bowie, Sioux Falls, was reappointed on July 29, 2016, to the **Planning Council on Developmental Disabilities**, effective immediately and shall continue until June 30, 2019.

David Colling, Howard, was appointed on July 29, 2016, to the **Planning Council on Developmental Disabilities**, to replace Mark Way, effective immediately and shall continue until June 30, 2019.

Tania Kostal, Tyndall, was appointed on July 29, 2016, to the **Planning Council on Developmental Disabilities**, to replace Valere Beeck, effective immediately and shall continue until June 30, 2019.

Marcie Lorensberg, Aberdeen, was appointed on July 29, 2016, to the **Planning Council on Developmental Disabilities**, to replace Lisa Merchen, effective immediately and shall continue until June 30, 2019.

Lee McPeek, Watertown, was reappointed on July 29, 2016, to the **South Dakota 911 Board**, effective immediately and shall continue until June 30, 2019.

Ted G. Ruffedt, Jr., Rapid City, was reappointed on July 29, 2016, to the **South Dakota 911 Coordination Board**, effective

immediately and shall continue until June 30, 2019.

Kelly D. Serr, Bison, was reappointed on July 29, 2016, to the **South Dakota 911 Coordination Board**, effective immediately and shall continue until June 30, 2019.

Derek Smith, Sioux Falls, was appointed on July 29, 2016, to the **Planning Council on Developmental Disabilities**, to replace Jackie Juhala, effective immediately and shall continue until June 30, 2019.

Cindy Taber, Chamberlain, was appointed on July 29, 2016, to the **Planning Council on Developmental Disabilities**, to replace JoAnne Cleveland, effective immediately and shall continue until June 30, 2019.

Robert W. Cronin, Fort Pierre, was reappointed on August 1, 2016, to the **State Electrical Commission**, effective immediately and shall continue until April 14, 2019.

Carla A. Bachand, Pierre, was reappointed on August 5, 2016, to the **Visitation Grant Advisory Group**, effective immediately and shall continue until June 30, 2019.

Paul R. Christen, Huron, was reappointed on August 5, 2016, to the **South Dakota Science and Technology Authority**, effective August 5, 2016, and shall continue until August 8, 2022.

Gregory H. Dean, Pierre, was reappointed on August 5, 2016, to the **Visitation Grant Advisory Group**, effective immediately and shall continue until June 30, 2019.

Karl Fischer, Fort Pierre, was appointed on August 5, 2016, to the **South Dakota Commission on Gaming**, to replace Harry Christianson, effective immediately and shall continue until April 15, 2017.

Mary A. Haug, Brookings, was appointed on August 5, 2016, to the **State Arts Council**, to

replace Paul Higbee, effective immediately, and shall continue until June 30, 2019.

Dr. Vicki Isler, Sioux Falls, was appointed on August 5, 2016, to the **Board of Social Work Examiners**, effective immediately and shall continue until June 30, 2019.

Patricia Leburn, Rapid City, was reappointed on August 5, 2016, to the **South Dakota Science and Technology Authority**, effective August 5, 2016, and shall continue until August 8, 2022.

Brad Maupin, Pierre, was appointed on August 5, 2016, to the **South Dakota Public Safety Communications Council**, to replace Greg Fuller, effective immediately.

Dr. Pamela Osnes, Burke, was appointed on August 5, 2016, to the **Board of Social Work Examiners**, effective immediately and shall continue until June 30, 2019.

Jerry Soholt, Sioux Falls, was reappointed on August 5, 2016, to the **Board of Water and Natural Resources**, effective immediately and shall continue until June 30, 2020.

Lisa Stanley, Pierre, was appointed on August 5, 2016, to the **Board of Social Work Examiners**, effective immediately and shall continue until June 30, 2019.

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

8-24-2016	Department of Transportation Amend rules regarding the Local Bridge Improvement Grant Requirements; 43 SDR 15, August 1, 2016.
8-26-2016	Department of Health: Board of Examiners in Optometry Amend rules to update continuing education requirements and update the scope of practice/clinical procedural codes; 43 SDR 15, August 1, 2016.
9-1-2016	Bureau of Administration: Obligation Recovery Center Adopt rules to establish specific procedures that must be followed by the Obligation Recovery Center in handling debt and by any state agency, Unified Judicial System, Board of Regents, or constitutional office that refers debt to the Obligation Recovery Center; 43 SDR 21, August 15, 2016.
9-7-2016	South Dakota Retirement System Amend rules relating to the election of members to the Board of Trustees to allow the use of a third party to conduct the election and the use of electronic balloting and eliminate the requirement that a single member provide certification when purchasing a supplemental pension benefit; 43 SDR 18, August 8, 2016.
9-8-2016	Department of Health: Joint Board of Nursing and Board of Medical and Osteopathic Examiner's Amend rules to improve the efficiency and operation of the joint boards, provide clarification to the licensing process, update collaboration requirements to improve access to care, include reference to medical assistants, and create a new article covering medical assistants; 43 SDR 17, August 8, 2016.

9-8-2016	Department of Health: Board of Medical and Osteopathic Examiners Amend rules to create standards for medical record documentation when prescribing opioids for chronic pain, remove restrictions related to the supervision of physician assistants, and clarify continuing education requirements for genetic counselors; 43 SDR 17, August 8, 2016.
9-8-2016	Electronic Recording Commission Adopt rules to implement uniform standards for electronic transmission of certain documents to and from a register of deeds that has voluntarily elected to accept electronic document for recording in accordance with SDCL Chapter 7-9A; 43 SDR 18, August 8, 2016.
9-20-2016	Department of Education: Board of Education Amend rules to add private, non-profit entities that provide specialized career and technical services and education to the list of eligible recipients for Workforce Education Grants; 43 SDR 21, August 15, 2016.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on Monday, August 22, 2016, in Room 414, Fourth Floor of the State Capitol. Other DDN sites will be: Rapid City – SD School of Mines and Technology, 501 E. St. Joseph St., Public Room and Sioux Falls – University Center, 4801 N. Career Ave., Room FADM 145. The committee chair has set the following meeting schedule for the 2016 Interim: 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://www.sdlegislature.gov/Rules/RulesManual.aspx>.