

# REGISTER



## South Dakota Legislative Research Council

Volume 42

Monday, 8:00 a.m., November 23, 2015

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

**DEPARTMENT OF HEALTH: BOARD OF DENTISTRY:** 20:43:08:11; 20:43:09:03, 20:43:09:04, 20:43:09:04.01, 20:43:09:05, 20:43:09:06, 20:43:09:06.01, 20:43:09:06.02, 20:43:09:07, 20:43:09:08, 20:43:09:10, 20:43:09:10.01, 20:43:09:10.02, 20:43:09:11, and 20:43:09:16.

History-Notice: 42 SDR 47, Sept. 21, 2015  
Hearing: October 16, 2015  
Filed: November 13, 2015  
Effective: December 3, 2015

**DEPARTMENT OF LABOR AND REGULATION: DIVISION OF INSURANCE:** 20:06:09:11 to 20:06:09:14, inclusive, 20:06:09:16 to 20:06:09:20, inclusive, 20:06:09:22, 20:06:09:24, 20:06:09:27, 20:06:09:29 to 20:06:09:32, inclusive, 20:06:09:34 to 20:06:09:38, inclusive, 20:06:09:40 to 20:06:09:47, inclusive; 20:06:39:04.01, Appendix A; and 20:06:40:03.01.

History-Notice: 42 SDR 52, Sept. 28, 2015  
Hearing: October 19, 2015  
Filed: November 13, 2015  
Effective: December 3, 2015

### FILINGS IN THE LEGISLATIVE RESEARCH COUNCIL'S OFFICE:

#### Administrative Rules:

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

#### *Department of Game, Fish, and Parks:*

(November 19, 2015) intends to amend a License Forms and Fees rule to authorize the department to sell license lists to repeat applicants under certain circumstances without the necessity of seeking prior approval of the GFP Commission. The general authority for this rule, as cited by the department, is SDCL § 1-27-1.11.

A public hearing will be held at the RedRossa Convention Center, 808 West Sioux Ave., Pierre, South Dakota, on December 10, 2015, at 2:00 p.m. (CST). Copies of the proposed rule may be obtained from and written comments sent to the office of the Secretary of the Department of Game, Fish and Parks, Foss Building, 523 East Capitol, Pierre, South Dakota 57501. Copies of the proposed rule are also available at: <https://rules.sd.gov/>. Written comments must be received by and in the office of the Secretary of the Department of Game, Fish and Parks on or before 12:00 p.m. on the date of the hearing. Comments may also be sent by email to either [wildinfo@state.sd.us](mailto:wildinfo@state.sd.us) or [gfpadminrules@state.sd.us](mailto:gfpadminrules@state.sd.us). All written and email comments must include the commenter's name, home town/city, and state. 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) 773-3718 or (605) 223-7684 (Telecommunication Device for the Deaf) before the hearing.

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>11-30-2015</b>	<b>Bureau of Human Resources</b> Amend State Employee Benefits rules to change the appeal process for an adverse determination or claims denial; eliminate preexisting conditions from eligibility in the state employee health benefit plan; and provide an application deadline for employees who were not previously eligible to apply for state employee health benefits and life benefit without showing proof of insurability; 42 SDR 78, November 16, 2015.
<b>12-1-2015</b>	<b>Department of Revenue: South Dakota Lottery Commission</b> Amend a rule to allow the Powerball game to institute a jackpot management plan; 42 SDR 69, November 2, 2015.
<b>12-3-2015</b>	<b>Department of Health: Board of Medical and Osteopathic Examiners</b> Adopt rules to provide criteria for training a first responder in the use of opioid antagonists, provide the requirements for physicians who issue standing orders authorizing first responders to possess opioid antagonists, and provide the requirements for protocols and procedures related to opioid antagonists; 42 SDR 73, November 9, 2015.
<b>12-9-2015</b>	<b>Department of Environment and Natural Resources: Water Management Board</b> Amend Surface Water Quality rules by deleting the fecal coliform criteria from immersion recreation and limited contact recreation waters (this change will leave intact the United States Environmental Protection Agency's (USEPA) recommended <i>Escherichia coli</i> criteria) and add the USEPA's nonylphenol aquatic life criteria; 42 SDR 65, October 26, 2015.
<b>12-9-2015</b>	<b>Department of Environment and Natural Resources: Water Management Board</b> Amend a Fences Crossing Navigable Streams rule to allow fences to be constructed without a gate across Firesteel Creek in Davison County; 42 SDR 73, November 9, 2016.
<b>12-10-2015</b>	<b>Department of Game, Fish, and Parks</b> Amend a License Forms and Fees rule to authorize the department to sell license lists to repeat applicants under certain circumstances without the necessity of seeking prior approval of the GFP Commission; 42 SDR 83, November 23, 2015.
<b>12-11-2015</b>	<b>Office of Attorney General</b> Amend a rule to provide a juvenile cited violation ticket for use by law enforcement pursuant to SDCL § 26-7A-126; 42 SDR 73, November 9, 2015.
<b>12-18-2015</b>	<b>Transportation</b> Amend Speed Limits rules on State Highway 253 through the town of Hosmer in Edmunds County beginning 9 miles North of the junction with U.S. Highway 12, the limit is 45 mph west for 0.24 mile, then 25 mph for 0.68 mile through the town of Hosmer, then 45 mph for an additional 0.2 mile west; amend a rule in Lake County on State Trunk Highway 34 in the city of Madison by reducing the maximum speed from 50 mph to 30 mph from its intersection with Washington Avenue then East for 0.17 mile, and then from 65 mph to 55 mph an additional 1.05 miles west; and a rule in Moody County on State Trunk Highway 32 (Pipestone Avenue) in the city of Flandreau, to increase from 35 mph to 45 mph step down speed zones entering and exiting Flandreau in order to

	provide consistent 20 mph increments on State Trunk Highway 32 through Flandreau; 42 SDR 79; November 16, 2015.
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### **RULES REVIEW COMMITTEE MEETINGS**

The last regular meeting of the Interim Rules Review Committee will be held on Monday, December 14, 2015, in Room 414, Fourth Floor of the State Capitol.

**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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