

# REGISTER



## South Dakota Legislative Research Council

Volume 43

Monday, 8:00 a.m., March 13, 2017

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

#### Notice:

The **Interim Rules Review Committee** has set their meeting schedule for the 2017 interim: March 28, May 1, June 5, July 17, August 22, September 25, and November 14. (*See last page for more information.*)

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

#### Executive Order:

The Governor has signed **Executive Order 2017-04** dated March 10, 2017. In anticipation of potential wildland fires in the Black Hills, this order grants authority to the South Dakota Division of Wildland Fire to augment its firefighting response efforts with the assets of the South Dakota National Guard for the 2017 fire season. This order expires on January 1, 2018.

### Legislative Appointments:

**Senators Craig Kennedy, Lance Russell, and Alan Solano** were appointed on March 6, 2017, to the **Interim Rules Review Committee**. These appointments will expire at noon on Tuesday, January 8, 2019.

**Representatives Julie Bartling, Steven Haugaard, and Jean Hunhoff** were appointed on March 6, 2017, to the **Interim Rules Review Committee**. These appointments will expire at noon on Tuesday, January 8, 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

<b>3-16-2017</b>	<b>Department of Education: SD School Finance and Accountability Board</b> Adopt rules to establish an appeals process and a set of factors that will be used to determine if a school district be recommended for a waiver from their accountabilities in regards to teacher compensation as outlined in SDCL 13-13-73.6; 43 SDR 109, February 6, 2017.
<b>3-20-2017</b> Prior hearing held on 1-19-2017	<b>Department of Education: Board of Education</b> Amend rules to update the state certification process for educators to: streamline the certification process; eliminate unnecessary barriers to the certification process; and ensure educators meet the minimum content and pedagogical knowledge requirements expected of them prior to being certified; 43 SDR 95, January 3, 2017.
<b>3-20-2017</b>	<b>Department of Education: Board of Education</b> Amend Special Education and Career and Technical Education rules to replace obsolete

	<p>citations to Article 24:15 with citations to the updated certification requirements in Article 24:28; repeal Certification rules in Article 24:15 that were made obsolete by the updated certification rules in Article 24:28; amend a Certificate Denial and Discipline Procedures rule to replace obsolete citations to Article 24:15 with citations to the updated certification requirements in Article 24:28; amend Accreditation and School Improvement rules to update references with the rule to the applicable preparation and certification requirements and remove language which limits certificate holders based on school structure and repeal the waiver route for noncertified administrators; and amend a Teacher Preparation Program Approval rule to replace obsolete citations to Article 24:15 with citations to the updated certification requirements in Article 24:28; 43 SDR 119, February 27, 2017.</p>
<b>3-22-2017</b>	<p><b>Department of Revenue: SD Commission on Gaming</b> Amend Racing rules to clarify the penalty for use of illegal substances, repeal 20:04:27:13 to allow therapeutic medication to be used, allow the use and administration of furosemide, clarify the use of certain therapeutic medications, allow the Commission and stewards to impose penalties which may be considered by other racing jurisdictions and allow the Commission and stewards to consider a trainer's pattern of drug or medication violations in other jurisdictions when determining a penalty for violations in South Dakota; 43 SDR 119, February 27, 2017.</p>
<b>3-24-2017</b>	<p><b>Department of Revenue: South Dakota Lottery Commission</b> Adopt rules to authorize and establish the parameters to offer the Lucky for Life game; 43 SDR 123, March 6, 2017.</p>
<b>4-10-2017</b>	<p><b>Department of Health: Board of Massage Therapy</b> Amend rules relating to applications, temporary permits and inactive licenses, clarify the educational requirements for licensure or a temporary permit, increase the fees for an initial license, renewed license, inactive license and temporary permit, clarify the time period of a continuing education cycle and a licensee's continuing education requirements and recordkeeping requirements, repeal unnecessary rules regarding the board's complaint process, clarify the malpractice insurance requirements of a licensee or temporary permit holder and recordkeeping requirements, clarify the requirements for requesting an inactive license, and updating the list of facilities recognized by the board to provide the education necessary to meet the requirements for licensure; 43 SDR 109, February 6, 2017.</p>

### RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on Tuesday, March 28, 2017, in Room 413, Fourth Floor of the State Capitol. The committee chair has set the following meeting schedule for the 2017 interim: May 1, June 5, July 17, August 22, September 25, 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>.