

# REGISTER

*South Dakota Legislative Research Council*



*Volume 28*

*Monday, 8:00 a.m., August 27, 2001*

**A COPY OF EACH REGISTER IS FILED IN THE OFFICE OF THE SECRETARY OF STATE**

**NOTICES OF PROPOSED RULES:** (The date in parentheses is the date the rules were filed in the Legislative Research Council)

***Department of Commerce and Regulation: Joint Board of Nursing and Board of Medical and Osteopathic Examiners:*** (August 24, 2001) is proposing rules to eliminate conflicting license expiration cycles for registered nurses, nurse practitioners, and nurse midwives and to update licensure education requirements for nurse practitioners and nurse midwives consistent with uniform national standards. The general authority for these rules, as cited by the board, is SDCL 36-9A-41.

A public hearing will be held at the Ramkota Hotel, Lincoln Room, 2400 North Louise Avenue, Sioux Falls, South Dakota, on Thursday, September 20, 2001, at 9:00 a.m. Copies of the proposed rules may be obtained from and written comments sent to the South Dakota Board of Nursing, 4300 South Louise Avenue, Sioux Falls, South Dakota 57106-3124. Comments will be taken until the close of the public hearing. This hearing is being held in a physically accessible place. Persons who have

special needs for which the board can make arrangements are asked to call (605) 362-2760 at least forty-eight hours before the hearing.

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

***Administrative Rules:***

**DEPARTMENT OF GAME, FISH AND PARKS:** 141:06:16:03, 141:06:21:02, 141:07:03:03.

History-Notice: 28 SDR 23, August 13, 2001  
Hearing: N/A  
Filed: August 22, 2001  
Effective: August 22, 2001

Note: A copy of the rules may be obtained directly from the above agencies. 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 Commerce and Regulation for commercial driver licensing, the Department of Labor for Article 47:03, and the Department of Revenue.

**REMINDER OF HEARINGS SCHEDULED**

8-30-2001	Agriculture: Value Added Finance Authority	Authorize additional source of financing for ag development; 28 SDR 19.
9-6-2001	Secretary of State	Change notary public application form, procedures for collecting voter registration information from county auditors, remove duplicate voter registrations, requests and prices for obtaining

		files for lists from statewide voter registration file; 28 SDR 23.
9-6-2001	Game, Fish and Parks	Year around use and possession of weapons at Spirit Mound, use of bow and arrows at Chief White Crane, correct references to Spring Creek Recreation Area ban on possession of firearms and bows, modify duck hunting and Canada goose hunting seasons; 28 SDR 27.
9-12-2001	Commerce and Regulation: Public Utilities Commission	Make motor carrier rules conform to state and federal law; 28 SDR 28.
9-13-2001	Attorney General	Allow taking alternative biological samples, who may take samples, procedures involved; 28 SDR 27.
9-20-2001	Joint Board of Nursing and Board of Medical and Osteopathic Examiners	Eliminate conflicting license expiration cycles and update licensure education requirements; 28 SDR 31.
9-21-2001	Commerce and Regulation: Board of Chiropractic Examiners	Define manipulation/mobilization and committee; requirements for declaratory rulings; application for examination, license reciprocity, duplicate certificates and licenses; continuing ed courses; update code of ethics and establish committee, acceptable advertising, comply with statute concerning healthcare corporations, procedures for disciplinary actions, establish disciplinary committee, update actions that warrant sanctions, increase fee for certificate of registration and provide continuing ed for radiography, define negative peer review, set fees for peer review; 28 SDR 27.

***Rules Review Committee Meetings***

The next meeting of the Interim Rules Review Committee will be held on Monday, September 10 at 12:30 p.m. in Room 413 of the State Capitol. The meeting scheduled for October 8 will not be held; the final meeting of the 2001 interim will be November 28.

Agencies whose rules have had a public hearing will be scheduled to meet with the Rules Review Committee and are asked to have a representative present at the meeting to give background information on their rules. Each agency is requested to provide the LRC with eight copies of the most recent draft of its rules two days before the meeting.

**Note:** An updated version of the Administrative Rules Guide to Form and Style is now available at the LRC office and on the LRC website.

The **South Dakota Register**, ISSN 0191-1104, is published by the South Dakota Legislative Research Council pursuant to SDCL 1-26A-1. Subscriptions to Volume 28 are \$20. Make checks payable to "State of South Dakota" and mail to the Legislative Research Council, State Capitol, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070. Information from the Register is available free of charge on the Internet at <http://legis.state.sd.us>. Subscribe to receive electronic notification of the availability of the **South Dakota Register** at MyLRC (<http://legis.state.sd.us/mylrc/index.cfm>).