



SouthDakota

Legislative Research Council

Rules Review Committee Agenda

Representative Timothy Johns, Chair
Senator Mike Vehle, Vice Chair

Three hundred forty-fourth meeting
Tuesday
September 16, 2014

Room 414
State Capitol
Pierre, South Dakota

Other DDN Site Locations:

Department of Human Services
2361 Dakota Ave. S.
Huron, South Dakota

Mitchell Technical Institute
1800 E. Spruce, Room TC 155
Mitchell, South Dakota

SD School of Mines & Technology
501 E. St. Joseph St., Room CB 109
Rapid City, South Dakota

University Center
4801 N. Career Ave., Room FADM 145
Sioux Falls, South Dakota

*Agencies are asked to have a representative present at the meeting
to give background information on their rules.*

9:00 a.m. CDT Call to order, roll call, approval of minutes, and staff report
8:00 a.m. MDT

Review of proposed rules

Representative Johns

Attorney General: Law Enforcement Officers Standards and Training Commission – Amend rules to permit the Department of Corrections to certify canine teams for use in the Department of Corrections facilities.

Senator Vehle

Department of Corrections – Adopt rules to administer the reinvestment fund program.

Department of Transportation – Adopt Rest Area Newspaper Vending Devices rules concerning the location, operation and maintenance of newspaper vending machines at interstate rest areas.

Senator Bradford

Department of Labor and Regulation: Division of Securities – Amend rules to revise the dollar amount thresholds required for Investment Advisors in South Dakota to enter into a contract charging performance compensation fees, and to officially recognize the change of the name from Standard & Poor's Standard Corporation Descriptions to S&P Capital IQ Standard Corporation Descriptions.

Department of Revenue: South Dakota Commission on Gaming – Amend Racing rules to require that individuals give written notice to a state steward rather than the racing secretary when scratching horses from races, remove Naproxen and add Flunixin to the list of substances that may be administered to horses, repeal the prohibition on sale of tip sheets and other programs in the grandstand, and clarify the definition of a satellite facility; and amend Gaming rules to authorize a new variation of blackjack known as Lucky Lucky, revise a rule to recognize technological advances in slot machine meters, and reduce the length of time records must be kept from five years to three years.

Department of Revenue: South Dakota Lottery Commission – Adopt the MONOPOLY Millionaires' Club rules of the National Premium Game Product Group of the Multi-State Lottery Association as the rules for the game in South Dakota.

Representative Hajek

Bureau of Human Resources and Civil Service Commission – Amend rules to revise the term, "mental retardation" to read "developmental disability;" place the definitional terms in alphabetical order and clarify the term "eligible" employee to include permanent part-time employees; revise a rule to read "one month" rather than "31 days;" repeal a rule because state employee life insurance coverage is now portable; revise a rule to allow retirees who retire prior to November 1, 2014, to elect coverage through the state health plan even if they fail to elect coverage in the first 30 days after retirement and remove the requirement that the eligible retiree provide proof of eligibility; extend the probationary period of conservation officers and university law enforcement officers from 1,040 hours to 2,080 hours; correct grammatical errors; correct a cross-reference; and add the term "pay" to exclusion of issues that employees cannot appeal.

Department of Labor and Regulation: Division of Unemployment Insurance – Amend rules to clarify when a week of unemployment starts, eliminate procedures used when unemployment insurance claims are filed in-person at a local Labor and Regulation office, correct an authorizing statute, clarify the time period for when claims for weeks of unemployment will be accepted, change the requirement from having an eligibility interview to having an eligibility assessment, eliminate the need for individuals to keep a copy of job contacts, clarify the effective date of a disqualification, and add a new industry, seasonal small game cleaning services, to the list of seasonally designated industries, so former employees can only claim benefits in the period the industry is open for business.

Senator Hunhoff

Department of Human Services: Division of Rehabilitation Services – Adopt rules to govern the Telecommunications Equipment Distribution Program which provides devices and training to assist with telecommunication for individuals who are deaf, hard of hearing, or have speech impairments; adopt rules to govern the Telecommunications Adaptive Devices Program which provides devices and training to assist with telecommunications for individuals who have disabilities other than deafness, hard of hearing, or speech impairments; adopt rules for the Hearing Aid Assistance Program to assist with providing hearing aids to young people who are deaf or hard of hearing; and adopt rules to govern the Communication Assistance Services program which provides communication support services to individuals who are deaf and hard of hearing.

12:00 p.m. Adjourn

* Breaks will be at the call of the chair.

NOTE: A copy of the proposed rules being reviewed at the meeting may be obtained without charge by contacting the department, board, or commission. Copies may also be available at <https://rules.sd.gov/default.aspx>.

Members: Representative Timothy Johns (Chair); Senator Mike Vehle (Vice Chair); Senators Jim Bradford and Jean Hunhoff; and Representatives Peggy Gibson and Anne Hajek.

This meeting is being held in a physically accessible location. Any individual needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) in advance of the meeting to make further arrangements.

All committee agendas and minutes are available on the LRC website: <http://legis.sd.gov/>. You may subscribe to electronic delivery of agendas and minutes at *E-Subscribe* on the LRC website.