

REGISTER



South Dakota Legislative Research Council

Volume 41

Monday, 8:00 a.m., June 8, 2015

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

Department of Transportation: (June 1, 2015) is proposing to amend a Speed Limits rule in Beadle County beginning at the junction of SD Highway 37 and SD Highway 34 to 0.10 mile west of 232nd Street; then beginning 0.10 mile east of Main Street in Forestburg to the east junction of SD Highway 37 and SD Highway 34 is being increased to 70 miles per hour. The general authority for this rule, as cited by the department, is SDCL §§ 32-25-7 and 32-25-7.1.

A public hearing will be held in the Commission Room of the Becker Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota, on June 25, 2015, at 9:30 a.m. CST. Copies of the proposed rule may be obtained without charge from and written comments sent to the Secretary of Transportation, Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota 57501-2586. Material sent by mail must reach the department by June 24, 2015, 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) 773-3540 or 1-800-877-1113 (Telecommunication Device for the Deaf).

Department of Labor and Regulation: Division of Banking: SD Public Deposit Protection Commission: (June 5, 2015) intends to amend rules to modify the information required to be reported by public depositories to include the amount and number of public demand and time deposits over the amount of deposit insurance

provided by the FDIC rather than the total amount and number of public demand and time deposits, remove trust companies from the list of entities eligible to receive public deposits, correct typographical errors, make certain form and style edits, and specify the information that must be reported to the commission for any certificate of deposit pledged to secure public deposits, eliminate the requirement that liability reports to the Public Deposit Protection Commission be sworn before a notary, delete an outdated cross-reference, add certificates of deposit to the existing process for pledging eligible collateral, change the value of surety bonds pledged as security for public deposits from 110% of the value of the public deposits to be secured to 100%, change the required value of eligible collateral pledged as security for public deposits from 110% of the value of the public deposits to be secured to 100%, delete an outdated statutory reference, and allow certificates of deposits to be pledged as eligible collateral by public depositories. The general authority for these rules, as cited by the department, is SDCL § 4-6A-20.

A public hearing will be held at the Division of Banking office, 1601 N. Harrison Ave., Suite 1, Pierre, South Dakota on July 15, 2015, at 10:00 a.m. CT. Copies of the proposed rules may be obtained from and written comments sent to the Division of Banking, 1601 N. Harrison Ave., Suite 1, Pierre, South Dakota 57501. Copies of the rules are also available at the division's website: <http://dlr.sd.gov/banking/default.aspx>. Material sent by mail must reach the division by July 15, 2015, 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) 773-3421 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Glenn A. Blumhardt, Bowdle, was reappointed on May 22, 2015, to the **Board of Minerals and Environment**, effective July 1, 2015, and shall continue until June 30, 2019.

Theodore H. Husted, Wall, was reappointed on May 28, 2015, to the **Board of Economic Development**, effective immediately and shall continue until April 19, 2019.

Donald L. Kettering, Yankton, was reappointed on May 28, 2015, to the **Board of Economic Development**, effective immediately and shall continue until April 19, 2019.

Pat L. Prostrollo, Madison, was reappointed on May 28, 2015, to the **Board of Economic Development**, effective immediately and shall continue until April 19, 2019.

Norbert Sebade, Rapid City, was appointed on May 28, 2015, to the **Board of Economic Development**, to replace Tom Burchill, effective immediately and shall continue until April 19, 2019.

Paul Goldhammer, Wall, was reappointed on May 29, 2015, to the **Board of Water and Natural Resources**, effective July 1, 2015, and shall continue until June 30, 2019.

Bradley Johnson, Watertown, was reappointed on May 29, 2015, to the **Board of Water and Natural Resources**, effective July 1, 2015, and shall continue until June 30, 2019.

Jacqueline A. Lanning, Brookings, was reappointed on May 29, 2015, to the **Board of Water and Natural Resources**, effective immediately and shall continue until June 30, 2019.

Dennis McFarland, Sioux Falls, was appointed on May 29, 2015, to the **South Dakota Commission on Gaming**, to replace Karen Crew, effective immediately and shall continue until April 14, 2018.

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

6-12-2015	Health: Board of Pharmacy	Amend rules to establish the ability of pharmacies to increase the technician to pharmacist ratio; 41 SDR 179, May 4, 2015.
6-19-2015	Health: Board of Dentistry	Amend rules to change the name Advanced Dental Assistant to Registered Dental Assistant and update the definition to maintain consistency with state law; 41 SDR 180, May 4, 2015.
6-23-2015	Labor and Regulation: Division of Unemployment Insurance	Adopt a rule to authorize the use of the Treasury Offset Program (TOP) to collect delinquent covered unemployment compensation (UC) debt from employers; 41 SDR 201, May 26, 2015.

6-24-2015	Attorney General: Law Enforcement Officers Standards and Training Commission	Amend rules to allow physician's assistants and nurse practitioners to conduct examinations of law enforcement officers and create an enhanced concealed pistol use of force training program, to establish rules regarding the minimum standards for a person to attend the training program, expiration date for the use of force training certificate of completion and rules regarding the implementation of the course, including the training course fees; 41 SDR 207, June 1, 2015.
6-25-2015	Environment and Natural Resources: Board of Water and Natural Resources	Amend a rule to make adjustments to the director areas of the James River Water Development District; 41 SDR 207, June 1, 2015.
6-25-2015	Transportation	Amend a Speed Limits rule in Beadle County beginning at the junction of SD Highway 37 and SD Highway 34 to 0.10 mile west of 232 nd Street; then beginning 0.10 mile east of Main Street in Forestburg to the east junction of SD Highway 37 and SD Highway 34 is being increased to 70 miles per hour; 41 SDR 213, June 8, 2015.
7-15-2015	Labor and Regulation: Division of Banking: SD Public Deposit Protection Commission	Amend rules to modify the information required to be reported by public depositories to include the amount and number of public demand and time deposits over the amount of deposit insurance provided by the FDIC rather than the total amount and number of public demand and time deposits, remove trust companies from the list of entities eligible to receive public deposits, correct typographical errors, make certain form and style edits, and specify the information that must be reported to the commission for any certificate of deposit pledged to secure public deposits, eliminate the requirement that liability reports to the Public Deposit Protection Commission be sworn before a notary, delete an outdated cross-reference, add certificates of deposit to the existing process for pledging eligible collateral, change the value of surety bonds pledged as security for public deposits from 110% of the value of the public deposits to be secured to 100%, change the required value of eligible collateral pledged as security for public deposits from 110% of the value of the public deposits to be secured to 100%, delete an outdated statutory reference, and allow certificates of deposits to be pledged as eligible collateral by public depositories; 41 SDR 213, June 8, 2015.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on Monday, July 20, 2015, in Room 414, Fourth Floor of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2015 interim: August 17, September 21, November 9, and December 14.

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>.