

REGISTER



South Dakota Legislative Research Council

Volume 31

Monday, 8:00 a.m., January 10, 2005

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

Department of Transportation: (January 3, 2005) intends to amend rules to change the speed zone in Brown County on U.S. Highway 12 through the city of Groton to provide a 50 mile per hour speed limit as a transition between the 65 mile per hour limit east of town and the 35 mile per hour limit in town; add a 45 mile per hour speed zone in Brule County along SD Highway 45 to lower the speed limit along the north end of Kimball; add a 55 mile per hour speed zone in Day County to reduce speeds along U.S. Highway 12 through the city of Bristol; add 30 and 50 mile per hour speed zones in Marshall County to reduce speeds along State Highway 25 through the city of Veblen; and amend a speed zone in Union County within the Elk Point Port of Entry along Interstate 29 to update the speed rule to match the speed limits as they are currently posted. The general authority for these rules, as cited by the department, is SDCL 32-25-7.

A public hearing will be held in the commission room of the Becker-Hansen Building, 700 E. Broadway Avenue in Pierre, South Dakota, on January 27, 2005, at 9:05 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 January 26, 2005, 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) 773-3265 at least 48 hours before the

hearing.

Department of Education: Board of Education: (January 3, 2005) intends to amend rules to create definitions for the three proposed high school courses of study; define the requirements of the three proposed high school courses of study; allow the department to place all licensure actions regarding teacher certificates, licenses, and other credentials incurred in South Dakota on the National Association of State Directors of Teacher Education and Certification database, and to notify other states of certification violations and actions taken against South Dakota certification holders; reinstate the Business Manager endorsement for the school business official as a voluntary endorsement; allow regular classroom teachers with elementary or secondary degrees obtain a blind and visually impaired endorsement; and allow a student to graduate with preparation in math and either an additional one or two science areas, or a minimum of two science areas. The general authority for these rules, as cited by the board, is SDCL 13-1-12.1, 13-3-47, and 13-42-3.

A public hearing will be held at the King's Inn, 220 South Pierre Street, Pierre, South Dakota, on January 25, 2005, at 1:30 p.m. Copies of the proposed rules may be obtained without charge from and written comments sent to the Department of Education, South Dakota Board of Education, 700 Governors Drive, Pierre, South Dakota 57501. Written comments must be received by January 25, 2005, 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) 773-3426 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Janet Ricketts, Pierre, was appointed on December 28, 2004, to the **South Dakota Interagency Coordinating Council**, effective immediately and shall continue until December 31, 2006.

Jeffery Erickson, Watertown, was reappointed on December 30, 2004, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 2007.

Sylvia B. Mikkelsen, Gregory, was reappointed on December 30, 2004, to the **Drug and Alcohol Abuse Advisory Council**, effective immediately and shall continue until July 1, 2006.

Lori Sutton, Pierre, was reappointed on December 30, 2004, to the **South Dakota Professional Teachers Practices and Standards Commission**, effective immediately and shall continue until December 31, 2006.

Gale N. Walker, Parkston, was reappointed on December 30, 2004, to the **South Dakota State**

Board for Nursing Facility Administrators, effective immediately and shall continue until July 1, 2007.

Gary Jerke, Tripp, was appointed on January 5, 2005, to the **South Dakota House of Representatives, District 19**, to replace Representative Bill Van Gerpen, effective January 11, 2005.

Executive Order:

The Governor has signed **Executive Order 2005-01** dated January 3, 2005. This order waives certain permit fees and other height and weight restriction on the movement of baled livestock feed provided in SDCL Chapter 32-22 and ARSD 70:03:01:02, 70:03:01:37, and 70:03:01:07. The order identifies certain problems relating to drought conditions and its impact on the livestock industry as the rationale for the executive order.

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 Revenue and Regulation, and the Department of Labor for Article 47:03.

REMINDER OF HEARINGS SCHEDULED

1-24-2005	Education: Professional Administrators Practices and Standards Commission	Amend rules that will place all licensure actions regarding teaching and administrator certificates, licenses, and other credentials incurred in South Dakota on the National Association of State Directors of Teacher Education and Certification database, and to notify other states of certification violations and actions taken against South Dakota certification holders; 31 SDR 97.
1-25-2005	Education: Board of Education	Amend rules to create definitions and define the requirements for the three proposed high school courses of study; allow the department to place all licensure actions regarding teacher certificates, licenses, and other credentials

		incurred in South Dakota on the National Association of State Directors of Teacher Education and Certification database, and to notify other states of certification violations and actions taken against South Dakota certification holders; reinstate the Business Manager endorsement for the school business official as a voluntary endorsement; allow regular classroom teachers with elementary or secondary degrees obtain a blind and visually impaired endorsement; and allow a student to graduate with preparation in math and either an additional one or two science areas, or a minimum of two science areas; 31 SDR 103.
1-26-2005	Health	Amend rules to expand the number of metabolic tests mandated on all newborns; 31 SDR 93.
1-27-2005	Transportation	Adopt and amend speed zones in Brown, Brule, Day, Marshall, and Union Counties; 31 SDR 103.
2-22-2005	Public Utilities Commission: One-Call Notification Board	Amend rules to improve the efficiencies of the South Dakota One-Call System as identified by the users of the system; 31 SDR 101.

Rules Review Committee Meetings

The last meeting of the Interim Rules Review Committee is scheduled for Monday, January 10, 2005, in Room 413 of the State Capitol.

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

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 31 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>).