

REGISTER



South Dakota Legislative Research Council

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Monday, 8:00 a.m., March 4, 2013

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

Department of Agriculture: SD Weed and Pest Control Commission: (February 27, 2013) intends to amend a rule to add white horehound to the local noxious weed and declared pest list. The general authority for this rule, as cited by the department, is SDCL §§ 38-22-9 and 38-22-11.1.

A public hearing will be held in the Matthew Training Center, Foss Building, 523 East Capitol Ave., Pierre, South Dakota, on April 11, 2013, at 12:30 p.m. Copies of the proposed rule may be obtained from and written comments sent to the South Dakota Department of Agriculture, Division of Agricultural Services, Weed & Pest Program, 523 E. Capitol Avenue, Pierre, South Dakota 57501. Material sent by mail must reach the department by April 10, 2013, to be considered. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-3796 at least 48 hours before the hearing.

NOTICES:

The **Department of Social Services** intends to make the following changes to the South Dakota Medicaid State Plan concerning enhanced payments for certain services furnished by certain primary care physicians and charges for vaccine administration under the Vaccines for Children Program. While the proposed State Plan Amendment (SPA) has an effective date of January 1, 2013, no enhanced payments will be

made until after approval is received from the Centers for Medicare and Medicaid Services (CMS). Pursuant to 42 CFR 447.405, 447.410, 447.415, certain primary care physicians will be eligible for enhanced payments for certain primary care services provided between January 1, 2013 and December 31, 2014. The proposed amendment adds Pages 6-a – 6-c to Attachment 4.19-B. The department estimates the Federal fiscal impact associated with this SPA will be \$6,119,507 in FFY 2013 and \$8,145,829 in FFY 2014. Written requests for a copy of these changes, and corresponding comments, may be sent to Kirby Stone, Director, Division of Medical Services, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501-2291.

The **South Dakota Lottery** is ending instant ticket game numbers 421 – 7UP and 427 – Super Joker Slingo. The last day that prizes will be paid for these games is August 5, 2013.

FILINGS IN THE SECRETARY OF STATE'S OFFICE: (None)

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

3-7-2013	Game, Fish and Parks	Amend Public Water Zoning rules to repeal the existing "no boating zones" designated on Helgeson Slough in Clark County and on portions of Rock Creek Game Production Area and East Stink Lake in Marshall County; create a new "public swimming zone" fronting on a portion of shoreline of Platte Creek Recreation Area on Lake Francis Case (Charles Mix County); and repeal two existing "public swimming zones" designated on Clear Lake in Marshall County; amend a Refuges rule to remove the North Shore State Waterfowl Refuge from the list of Missouri River refuges; and amend a West River Prairie Deer Season (Special Buck Licenses) rule and an East River Deer Hunting Season (Special Buck Licenses) rule to limit an individual to possessing either an East River or West River special buck license in any given year and change the special buck license allocations; 39 SDR 135.
3-14-2013	Revenue: Commission on Gaming	Amend Gaming Rules to add failure to maintain minimum bankroll requirements and failure to notify the Executive Secretary of deficiency in cash, to Class A violations which allow for summary suspension of license; change the minimum wager from \$100 to \$1,000; and include summary suspension as a penalty for failure of a licensee to maintain cash or cash equivalents or to maintain minimum bankroll requirements; 39 SDR 141.
3-20-2013	Revenue: South Dakota Lottery Commission	Amend a Hot Lotto Game rule in order to continue to offer the game in South Dakota on and after May 12, 2013; 39 SDR 143.
3-22-2013	Agriculture: State Brand Board	Amend rules to increase the per head inspection fee for livestock ownership inspection and increase the fee for a lifetime horse transportation permit; 39 SDR 143.
4-11-2013	Agriculture: SD Weed and Pest Commission	Amend a rule to add white horehound to the local noxious weed and declared pest list; 39 SDR 147.

RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee will have an informal meeting near the close of the Eighty-eighth Legislative Session to set the tentative meeting schedule for the 2013 interim. Watch for a notice of this informal meeting on the LRC website and at the Capitol.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the Legislative Web site at <http://legis.state.sd.us/rules/index.aspx>.

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