

REGISTER



South Dakota Legislative Research Council

Volume 39

Monday, 8:00 a.m., April 1, 2013

NOTICE OF PROPOSED RULES: (None)

effective April 5, 2013, and shall continue until January 1, 2016.

NOTICE:

The **South Dakota Lottery** is ending instant ticket game numbers 414 – Holiday Bells and 423 – Money Hog. The last day that prizes will be paid for these games is September 17, 2013.

John D. Fowler, Elk Point, was reappointed on March 27, 2013, to the **State Historical Society Board of Trustees**, effective immediately and shall continue until April 15, 2016.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Jeffery A. Hazard, Sioux Falls, was reappointed on March 27, 2013, to the **State Historical Society Board of Trustees**, effective immediately and shall continue until April 15, 2016.

Executive Appointments:

Executive Order:

Richard H. Broderick, Jr., Rapid City, was reappointed on March 26, 2013, to the **Fire Marshal's Advisory Board**, effective immediately and shall continue until April 12, 2017.

The Governor has signed **Executive Order 2013-03** dated March 28, 2013. In anticipation of potential wildland fires in the Black Hills, this order grants authority to the South Dakota Division of Wildland Fire Suppression to augment its firefighting response efforts with the assets of the South Dakota National Guard for the 2013 fire season running from April 1 through October 31.

Kathleen A. Deutsch, Florence, was appointed on March 26, 2013, to the **Board of Chiropractic Examiners**, to replace Donn Fahrendorf, effective immediately and shall continue until January 1, 2016.

Jerry L. Diamond, Oacoma, was reappointed on March 26, 2013, to the **Fire Marshal's Advisory Board**, effective immediately and shall continue until April 12, 2017.

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.

Bob L. Sutton, Pierre, was appointed on March 26, 2013, to the **State Board of Regents**, to replace James O. Hansen, effective April 5, 2013, and shall continue until March 31, 2019.

James S. Towler, Dakota Dunes, was appointed on March 26, 2013, to the **South Dakota Lottery Commission**, to replace Kory Menken,

REMINDER OF HEARINGS SCHEDULED

4-3-2013	Labor and Regulations: South Dakota Retirement System	Amend rules to provide administrative and operational details for a designated Roth contribution program, maintain compliance with federal laws, and make certain terminology and cross reference corrections and clarifications; 39 SDR 153.
4-4-2013	Game, Fish and Parks	Amend a Camping Permits and Rules rule to add Sheps Canyon Recreation Area to the list of areas that require a group lodging fee and establish the fee; amend a Black Hills Elk Hunting Season rule to adjust the number of licenses available for "any elk" and "antlerless elk"; amend Custer State Park Trophy Bison Bull Harvest rules to change the number of licenses available, modify preference so license applicants accrue an additional preference point for each successive year they are unsuccessful in the draw, change reference from "permit and permit holder" to "license and licensee" and allocate two trophy bison licenses to residents in a first draw with leftover licenses to be available in a second draw for all applicants; amend an Archery Elk Hunting Season rule to adjust the number of licenses available for "any elk" and "antlerless elk"; amend a Prairie Elk Hunting Season rule to adjust the number of licenses available for "any elk" and "antlerless elk", modify Unit 30 (Gregory County) by removing that portion of the unit located in Boyd County, Nebraska, adjust the season dates for Unit 30 (Gregory County) from September 29 – October 28 and December 1 – 31 to September 1 – December 31, adjust the season dates for Unit 11B (Bennett County and portions of Mellette County) from September 1 to the second Sunday of October to September 1 to the Friday before the third Saturday in October, and add Unit 11D (Bennett County and portions of Mellette County) with season dates of September 1 – December 31; and amend Custer State Park Non-Trophy Bison Harvest rules to change the number of licenses and modify preference so applicants accrue an additional point for each successive year they are unsuccessful in the draw and allocate 7

		non-trophy bull bison licenses and 5 cow bison licenses to residents in a first draw with leftover licenses after the first draw to be available in a second draw for all applicants; amend a License Forms and Fees rule to increase the license fee for a non-trophy bison bull and a cow bison; and amend a Custer State Park Restrictions rule to add reference to non-trophy bison harvest as seasons in CSP available to non-residents; 39 SDR 153.
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.
4-16-2013	Labor and Regulation: Division of Insurance	Amend rules to require equal compensation to producers in certain circumstances; delete provisions relative to refund calculations and to set forth rating standards for health issuers; establish standards for plans filing access plans; establish standards for the sale of individual health insurance outside of an exchange; establish standards for the sale of employer based health insurance; repeal rules relative to small employer health insurance; set standards for coverage of preventive services; set standards for qualified health plans; and set standards for essential health benefits; 39 SDR 153.
4-23-2013	Agriculture: Animal Industry Board	Amend rules to allow for the use of a blood test to detect bovine tuberculosis in elk, red deer, white-tailed deer, fallow deer and reindeer and change and update current dates of reference material; 39 SDR 159.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held Tuesday, April 2, 2013, via the Digital Dakota Network (DDN) in Room 414, Fourth Floor, of the State Capitol. Other DDN sites will be: Huron – DHS, 2361 Dakota Ave. S; Mitchell – Mitchell Technical Institute, 1800 E. Spruce, Room TC 155; Rapid City – SD School of Mines & Technology, 501 E. St. Joseph St., Room BC 109; Sioux Falls – Sioux Falls Pavilion, 301 S. Main Ave., Classroom 312; and Yankton – DOT, 1306 W. 31st St. The committee chair has set the following tentative meeting schedule for the 2013 interim: May 20, June 4, July 9, August 20, September 17, November 12, and December 17.

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>.

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 39 are \$25. 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.aspx>).
