

# REGISTER

## South Dakota Legislative Research Council



Volume 37

Monday, 8:00 a.m., April 11, 2011

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

**Department of Education: Board of Education:** (April 7, 2011) intends to repeal rules to eliminate unnecessary language regarding school district general fund balances due to the repeal of statutes for excess general fund balance calculations. The general authority for these rules, as cited by the board, is SDCL 13-13-37.4 and 13-13-73.4.

A public hearing will be held in Room B110 at 4700 W. Career Circle, Sioux Falls, South Dakota, on May 16, 2011, at 1:00 p.m. CT. Copies of the proposed rules may be obtained without charge from the Department of Education, South Dakota Board of Education, 800 Governors Drive, Pierre, South Dakota 57501-2294 or from the Internet at <http://www.doe.sd.gov/board/index.asp>. Written comments may be sent to the board at the address above and must be received by May 9, 2011, 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) 773-5669 at least 48 hours before the hearing.

### FILINGS IN THE SECRETARY OF STATE'S OFFICE:

#### Executive Appointments:

**Michelle L. Menke**, Sioux Falls, was appointed on April 7, 2011, to the **South Dakota Interagency Coordinating Council**, to replace Delaine Bowe, effective April 5, 2011, and shall continue until December 31, 2011.

**Mark W. Wahlstrom**, Sioux Falls, was appointed on April 7, 2011, to the **South Dakota Real Estate Commission**, to replace Brian Jackson, effective April 4, 2011, and shall continue until April 11, 2013.

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

4-12-2011	Public Safety: Office of the State Fire Marshal	Amend rules to adopt the 2009 edition of the International Building, Fire, and Mechanical Codes as the fire safety standards for the Department of Public Safety; 37 SDR 165.
4-21-2011	Agriculture: SD Weed & Pest Control Commission	Amend a rule to add flowering rush to the local noxious weed and declared pest list; 37 SDR 165.

4-21-2011	Labor: SD Electrical Commission	Amend rules to adopt the 2011 National Electrical Code (the "2011 NEC"); define terms; determine the passing examination score for a Class B Electrician; clarify the terminology for an application for licensure; remove the terminology of "industrial"; clarify the standards and documentation required to attain levels of licensure; implement rule allowing for the recovery of costs; removal of 30 days grace period in regards to reinstatement fee for lapsed licenses; document the changes to allowable continuing education courses and the number of hours allowed; removal of requirement to print courses in newsletter; addition of the word "calculated" when considering the requirement for a permit; address fee administration for wiring permits and inspections; document the inspection notification process; clarify the state license required to attain a municipal license; repealing of a rule requiring ground fault circuit interrupter near wash basins as it is required in the 2011 NEC; and addressing an incorrect reference as to the permit requirement for cogeneration systems; 37 SDR 181.
4-28-2011	Transportation	Amend a speed zone in the town of Gregory in Gregory County on South Dakota Highway 47 to reduce the speed limits on a segment of highway; 37 SDR 181.
5-12-2011	Health: SD Board of Funeral Service	Amend 20:45:03:02 to allow students who are currently enrolled in an accredited Mortuary Science Program perform the same duties as a trainee and amend 20:45:03:03 to require some coursework in each area but not specify the exact amount; 37 SDR 181.
5-16-2011	Education: Board of Education	Repeal rules to eliminate unnecessary language regarding school district general fund balances due to the repeal of statutes for excess general fund balance calculations; 37 SDR 187.

## **RULES REVIEW COMMITTEE MEETINGS**

The next meeting of the Interim Rules Review Committee will be held Tuesday, May 10, 2011. The committee chair has set the following tentative meeting schedule for the 2011 interim: June 7, July 12, August 30, September 27, November 15, and December 12.

**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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