REGISTER

South Dakota Legislative Research Council

Volume 39 *Monday, 8:00 a.m., April 15, 2013*

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

Department of Transportation: (April 8, 2013) is proposing to amend Speed Zone rules in Pennington, Butte, Custer, Harding, and Meade Counties; and adopt Traffic Safety rules in Butte and Lawrence Counties. The general authority for these rules, as cited by the department, is SDCL §§ 32-25-7, 32-25-7.1, and 32-30-2.4.

A public hearing will be held in the Commission Room of the Becker Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota, on April 25, 2013, at 9:05 a.m. CDST. Copies of the proposed rules 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 April 24, 2013, 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 Game, Fish and Parks: (April 11, 2013) intends to amend a rule regarding Camping permits and Rules to eliminate the $2.00 differential in camping fees during cold weather periods when restroom and shower facilities are closed. The general authority for this rule, as cited by the department, is SDCL §§ 41-17-1.1 and 41-17-13.4.

A public hearing will be held at the Creekside Lodge located next to the State Game Lodge in Custer State Park, 13389 US Highway 16A, Custer, South Dakota, on May 2, 2013, at 2:00 p.m. MDT. Copies of the proposed rule may be obtained from and written comments sent to Jeffrey R. Vonk, Secretary, Foss Building, 523 East Capitol, Pierre, South Dakota 57501. Written comments must be received by and in the office of the Secretary of the Department of Game, Fish and Parks on or before 12:00 p.m. three (3) days prior to the date of the hearing to be included within the record of the public hearing and to be considered by the Commission. Comments may also be sent by email to Wildinfo@state.sd.us. All written and email comments must include the commenter's name and address. 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) 773-3387 before the hearing.

Department of Education: Board of Education: (April 12, 2013) intends to amend a rule to increase fees for teachers who apply for initial or for renewing a teacher certificate. The general authority for this rule, as cited by the board, is SDCL §§ 13-1-12.1 and 13-42-3.

A public hearing will be held at the Western Dakota Technical Institute, Dakota Lecture Hall, 800 Mickelson Drive, Rapid City, South Dakota, on May 20, 2013, at 1:00 p.m. MDT. Copies of the proposed rule may be obtained without charge from the Department of Education, Ferne Haddock, 800 Governors Drive, Pierre, South Dakota 57501-2294 or from the Internet at http://www.doe.sd.gov/board/index.aspx. Written comments may be sent to the board at

the address above and must be received by May 17, 2013, 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:

DEPARTMENT OF AGRICULTURE: STATE BRAND BOARD: 12:10:02:05 and 12:10:02:25.

History-Notice: 39 SDR 143, Feb. 25, 2013
Hearing: March 22, 2013
Filed: April 5, 2013
Effective: April 25, 2013

DEPARTMENT OF TRANSPORTATION: 70:01:02:57.

History-Notice: 39 SDR 135, Feb. 4, 2013
Hearing: February 28, 2013
Filed: April 8, 2013
Effective: April 29, 2013

Executive Appointments:

Phyllis M. Arends, Sioux Falls, was appointed on April 5, 2013, to the **Behavioral Health Advisory Council**, effective immediately and shall continue until October 30, 2014.

David S. Bonde, Fort Pierre, was appointed on April 5, 2013, to the **South Dakota Real Estate Commission**, to replace Dennis Eisnach, effective immediately and shall continue until April 11, 2014.

Daniele L. Dosch, Rapid City, was appointed on April 5, 2013, to the **Behavioral Health Advisory Council**, effective immediately and shall continue until October 30, 2016.

Bernie R. Grimme, Pierre, was appointed on April 5, 2013, to the **Behavioral Health Advisory Council**, effective immediately.

Doug J. Herrmann, Rapid City, was appointed on April 5, 2013, to the **Behavioral Health Advisory Council**, effective immediately.

Amy Iverson-Pollreisz, Pierre, was appointed on April 5, 2013, to the **Behavioral Health Advisory Council**, effective immediately.

Patricia R. Johnson-Riibe, Yankton, was appointed on April 5, 2013, to the **Behavioral Health Advisory Council**, effective immediately and shall continue until October 30, 2014.

Kori L. Kromminga, Sioux Falls, was appointed on April 5, 2013, to the **Behavioral Health Advisory Council**, effective immediately and shall continue until October 30, 2015.

Kim M. Maskell, Spearfish, was appointed on April 5, 2013, to the **Cosmetology Commission**, to replace Kory McKay, effective April 15, 2013, and shall continue until April 14, 2016.

Mark W. Wahlstrom, Sioux Falls, was reappointed on April 5, 2013, to the **South Dakota Real Estate Commission**, effective immediately and shall continue until April 11, 2016.

Sara J. Weishaar, Bison, was appointed on April 5, 2013, to the **Behavioral Health Advisory Council**, effective immediately, and shall continue until October 30, 2015.

Linda M. Zeller, Pierre, was reappointed on April 5, 2013, to the **Board of Massage Therapy**, effective immediately and shall continue until October 30, 2015.

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

4-16-2013	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.
4-25-2013	Transportation	Amend Speed Zone rules in Pennington, Butte, Custer, Harding, and Meade Counties; and adopt Traffic Safety rules in Butte and Lawrence Counties; 39 SDR 171.
5-2-2013	Health: Division of Health and Medical Services	Amend rules to add babesiosis and carbapenem-resistant *Enterobacteriaceae* to the reportable disease list, replace outdated language with current usage, and other minor house-keeping updates; 39 SDR 167.
5-2-2013	Game, Fish and Parks	Amend a rule regarding Camping permits and Rules to eliminate the $2.00 differential in camping fees during cold weather periods when restroom and shower facilities are closed; 39 SDR 171.
5-3-2013	Bureau of Administration	amend rules to remove the requirement that the newspapers used by the Department of Transportation to publish notice of sale of property described in § 10:02:01:03 be daily newspapers, update obsolete references to standards and practices to be followed when

		using micrographics for long term storage of records, and to clarify when an original document may be destroyed after being reproduced by processes that will form a durable medium; 39 SDR 167.
5-9-2013	Labor and Regulation: Division of Labor and Management	Amend rules to revise the workers compensation fee schedule; 39 SDR 167.
5-15-2013	Health: Board of Examiners for Speech-Language Pathology	Adopt rules to establish guidelines for the licensure of Speech-Language Pathologists; 39 SDR 168.
5-20-2013	Education: Board of Education	Amend a rule to increase fees for teachers who apply for initial or for renewing a teacher certificate; 39 SDR 171.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held Monday, May 20, 2013, in Room 413, Fourth Floor, of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2013 interim: 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).