

REGISTER



South Dakota Legislative Research Council

Volume 40

Monday, 8:00 a.m., August 5, 2013

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

Department of Transportation: (July 31, 2013) is proposing to amend Speed Zone rules in Pennington, Butte, Custer, Harding, and Meade Counties. The general authority for these rules, as cited by the department, is SDCL §§ 32-25-7 and 32-25-7.1.

A public hearing will be held in the Commission Room of the Becker Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota, on August 22, 2013, at 9:05 a.m. CDT. 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 August 21, 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).

NOTICE:

The **Department of Social Services** intends to make the following changes to the South Dakota CHIP State Plan concerning the methodology used to determine eligibility for Targeted Low Income Children effective January 1, 2014, as required by federal law. The proposed State Plan Amendment (SPA) implements several provisions of the Patient Protection and Affordable Care Act of 2010 (PPACA) designed to coordinate Medicaid eligibility and

enrollment with the newly created Health Insurance Marketplaces. This SPA is required by the Centers for Medicare and Medicaid Services (CMS) under 42 CFR Parts 431, 435, and 457. The Department estimates the federal fiscal impact associated with this SPA will be negligible. Written requests for a copy of these changes, and corresponding comments, may be sent to Kirby Stone, State Medicaid Director, Division of Medical Services, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501-2291.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

DEPARTMENT OF GAME, FISH AND PARKS: 41:06:04:20; 41:06:10:01; 41:06:16:07; 41:06:23:02; 41:06:50:02, 41:06:50:03; and 41:08:01:08.01.

History-Notice: 39 SDR 233, June 24, 2013
Hearing: July 8, 2013
Filed: July 31, 2013
Effective: August 20, 2013

Executive Order:

The Governor has signed **Executive Order 2013-12** dated July 30, 2013. This order creates the South Dakota 125th Anniversary of Statehood Commission. A copy of the order is available at the Secretary of State's office.

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

8-14-2013	Revenue: SD Lottery Commission	Adopt the Powerball Game Rules and the Power Play rules of the Powerball game, the Wild Card Game Rules, the Hot Lotto Game Rules, and the Mega Millions Game Rules and the Megaplier promotion special game rules of the Mega Millions game, as last amended by each of the respective Product Game Groups of the Multi-State Lottery Association ("MUSL"), as the rules of the South Dakota Lottery for said games; 40 SDR 21.
8-15-2013	Environment and Natural Resources: Board of Minerals and Environment	Update the state's existing hazardous waste rules by incorporating updated federal regulations by reference. These updates reflect changes made to the federal hazardous waste rules from July 1, 2010 through June 30, 2012. Changes include establishing procedures for identifying and managing certain hazardous secondary materials destined for recycling, and making technical and typographical corrections to the federal rules; 39 SDR 201.
8-22-2013	Transportation	Amend Speed Zone rules in Pennington, Butte, Custer, Harding, and Meade Counties; 40 SDR 29.
9-26-2013	Agriculture: SD Value Added Finance Authority	Amend rules to make changes to the value added sub fund rules upon moving the fund from the Governor's Office of Economic Development to the Department of Agriculture; through the South Dakota Value Added Finance Authority; 40 SDR 25.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held Tuesday, August 20, 2013, in Room 414, Fourth Floor, of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2013 interim: 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>.