

REGISTER

South Dakota Legislative Research Council



Volume 36

Monday, 8:00 a.m., August 10, 2009

NOTICES OF PROPOSED RULES: (None)

Filed: August 3, 2009
Effective: August 23, 2009

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES: BOARD OF WATER AND NAUTRAL RESOURCES:

74:05:05:16 to 74:05:05:21.01, inclusive.

History-Notice: 35 SDR 291, June 1, 2009
Hearing: June 25, 2009
Filed: July 31, 2009
Effective: August 20, 2009

DEPARTMENT OF TRANSPORTATION:

70:01:02:01(2), 70:01:02:60(1), 70:01:02:60(2), 70:01:02:60(7), and 70:01:02:60(8).

History-Notice: 35 SDR 303, June 15, 2009
Hearing: June 25, 2009
Filed: July 31, 2009
Effective: August 20, 2009

DEPARTMENT OF PUBLIC SAFETY:

61:16:01:01, 61:16:01:02, 61:16:01:03, and 61:16:01:05.

History-Notice: 35 SDR 311, June 22, 2009
Hearing: July 1, 2009
Filed: August 3, 2009
Effective: August 23, 2009

DEPARTMENT OF TRANSPORTATION:

70:01:02:04(5), 70:01:02:14(1), 70:01:02:14(2), 70:01:02:14(3), 70:01:02:14(04), 70:01:02:63(5), and 70:01:02:67(1).

History-Notice: 35 SDR 261, May 4, 2009
Hearing: May 28, 2009

DEPARTMENT OF HEALTH: BOARD OF NURSING HOME ADMINISTRATORS:

20:49:01:01; 20:49:02:02, 20:49:02:04; 20:49:03:01, 20:49:03:02, 20:49:03:03, 20:49:03:04, 20:49:03:06, 20:49:03:07; 20:49:04:01, 20:49:04:02; 20:49:05:01; 20:49:06:01; 20:49:07:01; 20:49:08:01, 20:49:08:01.01, 20:49:08:02, 20:49:08:03, 20:49:08:04, 20:49:08:05.

History-Notice: 35 SDR 297, June 8, 2009
Hearing: June 25, 2009
Filed: August 5, 2009
Effective: August 25, 2009

DEPARTMENT OF SOCIAL SERVICES: CATASTROPHIC COUNTY POOR RELIEF BOARD: Article 67:19 and Article 22:02.

History-Notice: 35 SDR 297, June 8, 2009
Hearing: June 29, 2009
Filed: August 6, 2009
Effective: August 26, 2009

SOUTH DAKOTA INVESTMENT

COUNCIL: 6:01:02:01; 6:01:03:01; and 6:01:07:02.

History-Notice: 35 SDR 277, May 18, 2009
Hearing: June 22, 2009
Filed: August 6, 2009
Effective: August 26, 2009

Executive Appointments:

Mike Colleran, Pierre, was reappointed on July 31, 2009, to the **South Dakota Board of Hearing Aid Dispensers and Audiologists**, effective immediately and shall continue until June 30, 2012.

Thomas Garrity, Hoven, was reappointed on July 31, 2009, to the **State Board of Examiners in Optometry**, effective immediately and shall continue until June 30, 2012.

Lisa Kollis-Young, Sioux Falls, was reappointed on July 31, 2009, to the **State Board of Examiners in Optometry**, effective immediately and shall continue until June 30, 2012.

Bob Reieron, Sioux Falls, was reappointed on July 31, 2009, to the **South Dakota Board of Hearing Aid Dispensers and Audiologists**, effective immediately and shall continue until June 30, 2012.

Alfred L. Rude, Brookings, was reappointed on July 31, 2009, to the **State Board of Funeral Service**, effective immediately and shall continue until June 30, 2012.

Nancy Van Camp, Ft. Pierre, was reappointed on July 31, 2009, to the **State Board of Examiners in Optometry**, effective immediately and shall continue until June 30, 2012.

Diana Berkland, Sioux Falls, was reappointed on August 3, 2009, to the **South Dakota Board of Nursing**, effective immediately and shall continue until June 30, 2012.

Jeanie L. Blair, Sturgis, was reappointed on August 3, 2009, to the **State Board of Podiatry Examiners**, effective immediately and shall continue until June 30, 2012.

Christine R. Callaghan, Yankton, was reappointed on August 3, 2009, to the **South**

Dakota Board of Nursing, effective immediately and shall continue until June 30, 2012.

Dori Dufault, Hot Springs, was reappointed on August 3, 2009, to the **South Dakota Board of Nursing**, effective immediately and shall continue until June 30, 2012.

H. Adrian Mohr, Sioux Falls, was reappointed on August 3, 2009, to the **South Dakota Board of Nursing**, effective immediately and shall continue until June 30, 2012.

Scott L. Shindler, Yankton, was reappointed on August 3, 2009, to the **State Board of Podiatry Examiners**, effective immediately and shall continue until June 30, 2012.

Tamara Baker, Sioux Falls, was reappointed on August 4, 2009, to the **South Dakota State Board for Nursing Facility Administrators**, effective immediately and shall continue until June 30, 2012.

Clint Graybill, Sioux Falls, was reappointed on August 4, 2009, to the **South Dakota State Board for Nursing Facility Administrators**, effective immediately and shall continue until June 30, 2012.

Jeff Haase, Lemmon, was reappointed on August 6, 2009, to the **Workers' Compensation Advisory Council**, effective immediately and shall continue until June 30, 2012.

Connie Halverson, Pierre, was reappointed on August 6, 2009, to the **Workers' Compensation Advisory Council**, effective immediately and shall continue until June 30, 2012.

Chris Lien, Rapid City, was reappointed on August 6, 2009, to the **Workers' Compensation Advisory Council**, effective immediately and shall continue until June 30, 2012.

Mike Trykoski, Rapid City, was reappointed on August 6, 2009, to the **South Dakota Energy Infrastructure Authority**, effective immediately and shall continue until June 30, 2015.

Raymond J. Wahle, Sioux Falls, was appointed on August 6, 2009, to the **South Dakota Energy Infrastructure Authority**, to replace Audry Ricketts, effective August 5, 2009, and shall continue until June 30, 2010.

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

8-11-2009	Personnel	Amend rules to insure that any applicant or employee with a position in the Department of Agriculture, Wildland Fire Suppression Division, whose duties include firefighting, be drug free; 36 SDR 7.
8-11-2009	Social Services: Adult Services and Aging	Amend Crime Victims' Compensation Program rules to revise definitions; specify requirements and limitations of covered services; update reference to overall payment limit of the program; remove specific dollar amount limits for covered expenses; remove unnecessary examples and duplicate language; update notice procedures to reflect current practice; allow the department and commission joint authority for claims reconsiderations; and allow loss of support compensation for victims in certain situations; 36 SDR 13.
8-13-2009	Health: Board of Examiners in Optometry	Amend Appendix A to add codes to the Procedural Code List; 36 SDR 7.
8-14-2009	Health: Administration	Amend a rule to define the disinterment process; 36 SDR 7.
8-18-2009	Public Utilities Commission	Adopt rules regarding pipeline safety; 36 SDR 21.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held Tuesday, September 1, 2009, in Room 413, Fourth Floor, of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2009 interim: October 6, November 18, and December 15.

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 36 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>).