

# REGISTER



*South Dakota Legislative Research Council*

*Volume 32*

*Monday, 8:00 a.m., August 29, 2005*

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**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:*** (August 22, 2005) intends to amend rules that will hold institutions of higher learning to national standards, which will ensure that candidates for teacher certification will be well qualified and capable of meeting the needs of all students. The general authority for these rules, as cited by the board, is SDCL 13-1-12.1 and 13-42-3.

A public hearing will be held at Mitchell Technical Institute, 1800 East Spruce, Mitchell, South Dakota, on September 19, 2005, at 1:00 p.m. Copies of the proposed rules may be obtained without charge from and written comments sent to the Department of Education, South Dakota Board of Education, 700 Governors Drive, Pierre, South Dakota 57501-2291. Written comments must be received by September 19, 2005, 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) 773-3426 at least 48 hours before the hearing.

## **FILINGS IN THE SECRETARY OF STATES OFFICE:**

**DEPARTMENT OF EDUCATION: BOARD OF EDUCATION:** 24:05:25:06; 24:05:27:01.01 to 24:05:27:01.06, inclusive, 24:05:27:04.01, 24:05:27:04.02, 24:05:27:08.01 to 24:05:27:08.04, inclusive, 24:05:27:09, 24:05:27:12, 24:05:27:13.02, 24:05:27:15 to 24:05:27:15.03, inclusive, 24:05:27:16,

24:05:27:18, 24:05:27:19.01; 24:05:30:06.01; 24:15:02:08; 24:15:03:01, 24:15:03:03, 24:15:03:03.01, 24:15:03:06, 24:15:03:08, 24:15:03:09, 24:15:03:10; 24:15:06:02 to 24:15:06:32, inclusive, 24:15:06:37.

History-Notice: 32 SDR 7, July 11, 2005  
Hearing: July 18, 2005  
Filed: August 22, 2005  
Effective: September 11, 2005

## **Executive Appointments:**

**John Jones**, Pierre, was appointed on August 18, 2005, to the **South Dakota Board of Nursing**, to replace Donald Simmons, effective immediately and shall continue until July 1, 2007.

**Carla Borchardt**, Sioux Falls, was appointed on August 19, 2005, to the **South Dakota State Board for Nursing Facility Administrators**, to replace Mina Hall, effective immediately and shall continue until June 30, 2007.

**Andrew Canham**, Miller, was appointed on August 23, 2005, to the **State Emergency Response Commission**, to replace Linda Sly, effective immediately.

**Mike Carter**, Custer, was appointed on August 23, 2005, to the **State Emergency Response Commission**, to replace Jeff Bloomberg, effective immediately.

**Jerry Johnson**, Madison, was appointed on August 23, 2005, to the **State Emergency Response Commission**, to replace Clint Jolley, effective immediately.

**Lisa Simpson**, Clear Lake, was appointed on August 23, 2005, to the **State Emergency Response Commission**, to replace Kurt Doeden, effective immediately.

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**

8-30-2005	Revenue and Regulation: Gaming Commission	Amend racing rules as follows: provide a new basis for summary suspension of licensure – when a licensee fails to pay a fine imposed by the deadline allowed, require permission of the Board of Stewards before payment of another licensee's fine is allowed, require a mandatory suspension of licensure for individuals who do not pay fines within established deadlines, eliminate reference to the Association of Racing Commission International in the reinstatement procedure rule and to recognize that there are more than one pari-mutuel associations for racing, and eliminate the reference to the Association of Racing Commissioners International from the rule regarding procedures for denied licenses, recognizing the expansion of pari-mutuel regulatory associations. Regarding the Deadwood Gambling rules, adopt a variation of play of the game of poker known as Heads Up Poker Challenge; 32 SDR 21.
9-2-2005	Revenue and Regulation: Division of Insurance	Amend rules to change the permissible exclusions in life insurance policies; modify the open enrollment period for Medicare eligible individuals; and establish the effective date of producer appointments; 32 SDR 31.
9-19-2005	Health	Adopt rules to establish the reporting requirements for hospitals to report median charge data to the department for their top 25 diagnostic related groups which have more than 10 occurrences and the method and format that the department will make this information available to the public; 32 SDR 37.
9-19-2005	Education: Board of Education	Amend rules that will hold institutions of higher learning to national standards, which will ensure that candidates for teacher certification will be well qualified and capable

		of meeting the needs of all students; 32 SDR 41.
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***Rules Review Committee Meetings***

The next meeting of the Interim Rules Review Committee will be held Tuesday, September 20, 2005, in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2005 interim: October 18, December 6, and January 9, 2006.

**Note:** An updated version of the Administrative Rules Guide to Form and Style is available at the LRC office and on the Legislative Web site.

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