

REGISTER



South Dakota Legislative Research Council

Volume 32

Monday, 8:00 a.m., September 12, 2005

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

Department of Public Safety: (September 7, 2005) intends to adopt an EMERGENCY rule to permit temporary use of one-half gallon pricing at retail fuel pumps. The general authority for this rule, as cited by the department, is SDCL 37-21-5.

Department of Health: (September 9, 2005) intends to adopt and amend rules to define reporting cancer cases and use of cancer data for an expanded registry. The general authority for these rules, as cited by the department, is SDCL 1-43-13.

A public hearing will be held in the State Health Laboratory conference room, 615 East Fourth Street, Pierre, South Dakota, on October 3, 2005, at 10:00 a.m. to consider the adoption and amendment of proposed rules. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Department of Health, Attn: Colleen Kozel, 600 East Capitol Avenue, Pierre, South Dakota 57501. Copies of the proposed rules may also be obtained at the Health Department website:

<http://www.state.sd.us/doh/News/index.htm>.

Material sent by mail must reach the department by October 13, 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) 773-3361 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATES OFFICE:

On September 8, 2005, the **DEPARTMENT OF SOCIAL SERVICES** filed revisions for the South Dakota Food Stamp Program Certification and Accountability Manual. The revisions relate to requirements for reporting illegal non-citizens.

DEPARTMENT OF PUBLIC SAFETY: (EMERGENCY) – 120:01:09:01.

History-Notice: 32 SDR 47, Sept. 12, 2005
Hearing: NA
Filed: September 8, 2005
Effective: September 8, 2005

Executive Appointments:

David Banker, Sioux Falls, was appointed on September 7, 2005, to the **Board of Massage Therapy**, effective immediately.

Raye Jeanne Blundell, Rapid City, was appointed on September 7, 2005, to the **Board of Massage Therapy**, effective immediately.

Jamie Clark, Rapid City, was appointed on September 7, 2005, to the **Board of Massage Therapy**, effective immediately.

Gail Dawn, Letcher, was appointed on September 7, 2005, to the **Board of Massage Therapy**, effective immediately.

Valerie Hinzman, Pierre, was appointed on September 7, 2005, to the **Board of Massage Therapy**, effective immediately.

Executive Order:

The Governor has signed **Executive Order 2005-11** dated September 2, 2005, to support hurricane relief efforts in the affected Gulf States region. In the Executive Order the Governor directs the Department of Public Safety to provide assistance according to SDCL 33-15 and the Emergency Management Assistance Compact. South Dakota is a member of the compact and the statutory mechanism allows member states to provide mutual assistance to other member states. The

assistance includes expenditures from the Special Emergency and Disaster Special Revenue Fund and the mobilization of the South Dakota National Guard if requested.

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

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| 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. |
| 10-3-2005 | Health | Adopt and amend rules to define reporting cancer cases and use of cancer data for an expanded registry; 32 SDR 47. |
| 10-6-2005 | Game, Fish and Parks | Repeal the Cow Creek State Waterfowl Refuge on the Missouri River and amend the West River Prairie Deer Season in Gregory and Mellette Counties; 32 SDR 45. |

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.

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 32 are \$20. 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.htm>).
