

REGISTER



South Dakota Legislative Research Council

Volume 31

Monday, 8:00 a.m., September 20, 2004

NOTICES OF PROPOSED RULES: (None)

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

DEPARTMENT OF GAME, FISH AND PARKS: (Emergency) - 141:06:57:01.

History-Notice: 31 SDR 29, August 30, 2004
Hearing: N/A
Filed: September 13, 2004
Effective: September 13, 2004

DEPARTMENT OF EDUCATION: BOARD OF EDUCATION: 24:03:06:06.05;
24:15:01:01; 24:16:09:04, 24:16:09:05;
24:16:10:06 and 24:16:10:07.

History-Notice: 31 SDR 1, July 6, 2004
Hearing: July 26, 2004
Filed: September 13, 2004
Effective: October 3, 2004

JOINT POWERS AGREEMENTS ON FILE WITH THE LEGISLATIVE RESEARCH COUNCIL:

The **Department of Agriculture** has filed four Joint Powers Agreements with the Legislative Research Council. The agreements relate to Engineering Plan and Design Assistance for Existing CAFO's Project with Conservation Districts throughout the state that have Concentrated Animal Feeding Operators within their districts. The agreements are for Manure Management Systems and are between the department and these conservation districts: Charles Mix, Hanson, Hutchinson, and Roberts.

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

9-23-2004	Transportation	Add a 30 mph speed zone in Lawrence County along US Highway 14A to lower the speed limit through an area near downtown Deadwood; add a 50 mph speed zone along South Dakota Highway 34 near the junction with South Dakota Highway 47 at Fort Thompson; and extend 30 mph and 45 mph speed zones in Kingsbury County along US Highway 14 to the east through the City of Lake Preston near the east entrance to the park and swimming pool complex; 31 SDR 34.
9-24-2004	Revenue and Regulation: Division of Insurance	Amend rules to update the continuing education requirements; specify when the long-term care suitability report is due; implement privacy guidelines for health information; and define

		terms and clarify that a report is required; 31 SDR 33.
9-27-2004	Labor: Cosmetology Commission	Amend rules to update requirements for apprentice senior instructor license applications, change the annual renewal dates to birth dates for individuals and to opening dates for salons starting in 2006, change the work credit for reciprocity applicants, update and clarify safety and sanitation procedures, clarify non-invasive chemical use on skin, update prohibited products, update training and curriculum requirements for apprentices, increase the continuing education for instructors from ten annual hours to twelve annual hours, require continuing education for the use of electrical nail files, add that the commission will provide certificates for continuing education, require all foot spas to be disinfected after each use, allow a verification fee and pre-approval for a course provider to teach a course, clarify the type of education required by senior instructor to teach apprentices, and add a newly published textbook to the approved textbooks; 31 SDR 33.
9-29-2004	Health	Adopt and amend rules relating to Radiation Safety, Drug Control, and Medical Facilities; 31 SDR 25.
10-6-2004	Environment and Natural Resources: Water Management Board	Amend rules to clarify that all waters of the state are subject to public recreation if they can be reached without trespassing on private property; 31 SDR 25.
10-6-2004	Environment and Natural Resources: Water Management Board	Amend the Groundwater Quality Standards rules to set ground water quality standards to the updated maximum contaminant levels as set by the U.S. Environmental Protection Agency; and amend the Groundwater Discharge Permits rules to define "shallow aquifer," clarify who must apply for a ground water discharge plan, specify the maximum duration for a groundwater discharge facility construction permit, and specify renewal requirements for a groundwater discharge facility construction permit; 31 SDR 34.
10-6-2004	Environment and Natural Resources: Water Management Board	Amend Water Rights Program rules to allow bentonite grout to be used instead of cement grout as an annular seal under certain conditions, and to require applicants for new well driller licenses to pass an examination; 31 SDR 39.

10-19-2004	Secretary of State: Board of Finance	Amend rules to increase per diem rates for meal expenses incurred by employees traveling both in-state and out-of-state on official business; 31 SDR 39.
10-29-2004	Labor: Board of Accountancy	Amend rules to carry out the functions of the nationally adopted continuing professional education standards, following approval by the Legislature for implementation July 1, 2005; 31 SDR 34.

Rules Review Committee Meetings

The next meeting of the Interim Rules Review Committee will be held Friday, October 15, 2004, in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2004 interim: December 7.

Note: An updated version of the Administrative Rules Guide to Form and Style is available at the LRC office and on the LRC 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 31 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.cfm>).