

REGISTER



South Dakota Legislative Research Council

Volume 41

Monday, 8:00 a.m., September 22, 2014

NOTICE OF PROPOSED RULES: (None)

History-Notice: 41 SDR 21, August 4, 2014
Hearing: August 27, 2014
Filed: September 18, 2014
Effective: October 8, 2014

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

DEPARTMENT OF CORRECTIONS:

17:10:07:01 to 17:10:07:03, inclusive.

History-Notice: 41 SDR 17, July 28, 2014
Hearing: August 18, 2014
Filed: September 16, 2014
Effective: October 6, 2014

**DEPARTMENT OF REVENUE:
COMMISSION ON GAMING:** 20:04:24:118;
20:04:27:13; 20:04:30:03, 20:04:31:01;
20:18:15:30.13; 20:18:17:03; and 20:18:18:25.

History-Notice: 41 SDR 33, August 18, 2014
Hearing: September 10, 2014
Filed: September 16, 2014
Effective: October 6, 2014

DEPARTMENT OF TRANSPORTATION:

70:11:01:01 to 70:11:01:08, inclusive;
70:11:02:01 to 70:11:02:05, inclusive; and
70:11:03:01 to 70:11:03:04, inclusive.

History-Notice: 41 SDR 21, August 4, 2014
Hearing: August 28, 2014
Filed: September 17, 2014
Effective: October 7, 2014

DEPARTMENT OF HUMAN SERVICES:

DIVISION OF REHABILITATION SERVICES: 46:30:01:01; 46:30:09:01 to
46:30:09:08, inclusive; 46:30:10:01 to
46:30:10:08, inclusive; 46:30:11:01 to
46:30:11:06, inclusive; and 46:30:12:01 to
46:30:12:05, inclusive.

Executive Appointments:

Teresa M. Geraets, Box Elder, was reappointed on July 23, 2014, to the **Planning Council on Developmental Disabilities**, effective immediately and shall continue until June 30, 2017.

Rhiannon L. Town, Roslyn, was reappointed on July 23, 2014, to the **Family Support Council**, effective immediately and shall continue until June 30, 2017.

Monte Tschetter, Mitchell, was reappointed on July 23, 2014, to the **Independent Living Council**, effective immediately and shall continue until June 30, 2017.

Laurie Feiler, Pierre, was appointed on September 10, 2014, to the **Oversight Council**, to replace Denny Kaemingk, effective immediately.

Jan Banghart, Redfield, was appointed on September 11, 2014, to the **Planning Council on Developmental Disabilities**, to replace Ted Williams, effective immediately.

Mark A. Burket, Platte, was reappointed on September 11, 2014, to the **South Dakota State Board for Nursing Facility Administrators**, effective November 1, 2014, and shall continue until October 30, 2017.

Loren W. Diekman, Watertown, was reappointed on September 11, 2014, to the **South Dakota State Board for Nursing Facility Administrators**, effective November 1, 2014, and shall continue until October 30, 2017.

JoAnn J. Lind, Flandreau, was reappointed on September 11, 2014, to the **South Dakota State Board for Nursing Facility Administrators**, effective November 1, 2014, and shall continue until October 30, 2017.

Tim Neyhart, Pierre, was appointed on September 11, 2014, to the **Planning Council on Developmental Disabilities**, to replace Robert Kean, effective immediately.

Edward L. Seljeskog, Rapid City, was appointed on September 11, 2014, to the **Transportation Commission**, to replace Jerry Schoener, effective immediately and shall continue until April 18, 2015.

David F. Fleck, Brandon, was reappointed on September 17, 2014, to the **South Dakota Health and Educational Facilities Authority**, effective immediately and shall continue until June 30, 2019.

Nick A. Kotzea, Sioux Falls, was appointed on September 17, 2014, to the **South Dakota Risk**

Pool Advisory Board, to replace Jesse Smith, effective immediately and shall continue until June 30, 2017.

Erin Schons, Sioux Falls, was appointed on September 17, 2014, to the **South Dakota Advisory Council for Children with Disabilities**, to replace Greg Riley, effective immediately and shall continue until June 30, 2017.

Vernon C. VanDerhule, Yankton, was reappointed on September 17, 2014, to the **South Dakota Aeronautics Commission**, effective November 1, 2014, and shall continue until October 30, 2017.

Note: A copy of the rules may be obtained directly from the above agencies or at <https://rules.sd.gov>. 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

10-2-2014	Game, Fish and Parks	Amend Camping Permits and Rules to adjust the group lodging fee at Mina Lake State Recreation Area and Shadehill State Recreation Area to \$185 a night for the first eight persons regardless of age plus \$10 for each additional person regardless of age, with a maximum occupancy of 10 persons, and also adjust the group lodging fee at Lake Thompson State Recreation Area, Palisades State Park, Sheps Canyon State Recreation Area, and Newton Hills State Park to \$240 a night for the first 12 persons regardless of age plus \$10 for each additional person regardless of age, with a maximum occupancy of 15 persons; restrict
-----------	----------------------	--

		camping cabin and rent-a-camper occupancy to the number of sleeping spaces provided, or one family with an extra tent, and define a single bed as one sleeping space, and a double or larger bed as two sleeping spaces; and establish a facility use fee of \$50 for the Palisades State Park event shelter located adjacent to the lodge; 41 SDR 41, September 2, 2014.
10-7-2014	Corrections	Adopt a rule to give Tribal Parole Agents, hired pursuant to the tribal parole project, the authority to detain parolees for the purpose of preventing escape and enforcing discipline on parolees; 41 SDR 37, August 25, 2014.
10-9-2014	Corrections: Board of Pardons and Paroles	Amend rules to align rule content with recent statutory changes regarding attendance at parole hearings, victim notice, procedures for parole with insufficient evidence of program directive compliance, parole to other jurisdictions and indeterminate sentences; establish a process for an expedited pardon application for minor offenses; and clarify that the Parole Board can impose an inmate's suspended sentence for institutional rule violations and/or for failing to participate in required programming; 41 SDR 37, August 25, 2014.
10-17-2014	Health: State Board of Dentistry	Amend rules to allow a dental hygienist, advanced dental assistant or dental assistant that holds a permit to monitor patients under general anesthesia and deep sedation or moderate sedation to inject medication through an intravenous site while under personal supervision of a dentist that holds a permit to administer general anesthesia and deep sedation or moderate sedation and to update sedation and anesthesia rules to require that any dentist that administers moderate sedation or provides dental services to patients under moderate sedation ensure that the office in which the work is performed has pulse oximetry and electrocardiogram display and require that any dentist that administers general anesthesia and deep sedation or provides dental services to patients under general anesthesia and deep sedation ensure that the office in which the work is performed has pulse oximetry, electrocardiogram display,

		precordial stethoscope and measurement of EtCO2 (capnography); 41 SDR 45, September 8, 2014.
--	--	--

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on Wednesday, November 12, 2014, in Room 414, Fourth Floor of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2014 interim: December 16.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the LRC website at <http://legis.sd.gov/Rules/RulesManual.aspx>.