

REGISTER

South Dakota Legislative Research Council



Volume 29

Monday, 8:00 a.m., July 29, 2002

A COPY OF EACH REGISTER IS FILED IN THE OFFICE OF THE SECRETARY OF STATE

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

South Dakota Lottery: (July 25, 2002) intends to update an existing Powerball game rule to conform with rules adopted by the Powerball Group of the Multi-State Lottery Association. The general authority for this rule, as cited by the Lottery, is SDCL 42-7A-21.

A public hearing will be held in the Kneip Room at the Governor's Inn, 700 West Sioux Avenue, Pierre, South Dakota, on August 16, 2002, at 10:30 a.m. Copies of the proposed rules may be obtained from and written comments sent to South Dakota Lottery, P.O. Box 7107, Pierre, South Dakota 57501-7107. Materials sent by mail must be received on or before August 15, 2002, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the Lottery can make arrangements are asked to call (605) 773-5770 at least 48 hours before the hearing.

Department of Commerce and Regulation: Board of Social Work Examiners: (July 26, 2002) is proposing adoption and amendment of rules to increase examination fees; clarify the definition of supervisor; require a social security number from applicants; adopt the most recent version of the NASW Code of Ethics, clarify reference letters and clarify display of license; repeal informing applicant of denial of licensure and repeal the notice to licensees of changes or revisions; clarify verification of licensure, clarify academic requirements for social work associates, clarify equivalent courses for social worker license, and clarify definition of

"Academic credit hour"; adopt continuing education credits to include a portion for distance or non-contact continuing education; clarify continuing education requirements, clarify the requirement of candidates for CSW-PIP licensure to file a supervision agreement in advance of beginning supervision, and clarify the requirements for licensure; and define the criteria for supervision. The general authority for these rules, as cited by the board, is SDCL 36-26-19, 36-26-29.

A public hearing will be held on the Digital Dakota Network at the following DDN sites: Mitchell Technical Institute, Main Building, 821 North Capital, Room 131, Mitchell; State Capitol Building, 500 East Capitol, Room B12, Studio A, Pierre; Rapid City Regional Hospital, Educational Services Department, 353 Fairmont Blvd., Rapid City; Sioux Falls Southeast Technical Institute, Mickelson Education Center, 2301 Career Place, Room 205, Sioux Falls; and Black Hills State University, E.Y. Berry Library, 1200 University Station, Room L020, Spearfish, on September 30, 2002, at 2:00 p.m. CDT. Copies of the proposed rules may be obtained from and written comments sent to S.D. Board of Social Work Examiners, 135 East Illinois, Suite 214, Spearfish, South Dakota 57783. Written comments must be received by September 12, 2002, to be considered. Persons who have special needs may call (605) 642-1600, before the hearing, for assistance.

Department of Transportation: (July 26, 2002) intends to adopt rules to amend speed zones in Minnehaha and Potter County. The general authority for these rules, as cited by the department, is SDCL 32-25-7.

A public hearing will be held in the Commission Room, Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota, on August 22, 2002, at 9:05 a.m. Copies of the proposed rules may be obtained from and written comments sent to the Secretary of Transportation, Room 202, Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota 57501-2586. Written comments must be received by August 21, 2002, 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) 773-3265 at least 48 hours before the hearing.

HEARING RESCHEDULED: The Division of Insurance has rescheduled a rules hearing that was originally scheduled for July 17, 2002. This hearing was cancelled due to a conflict with the Governor's Health Insurance Task Force and is rescheduled for August 20, 2002.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Administrative Rules:

DEPARTMENT OF COMMERCE AND REGULATION: BOARD OF

ACCOUNTANCY: 20:75:01:01 to 20:75:01:07, inclusive; 20:75:02:01 to 20:75:02:17, inclusive; 20:75:03:01 to 20:75:03:14, inclusive; 20:75:04:01 to 20:75:04:14, inclusive; 20:75:05:01 to 20:75:05:16, inclusive; 20:75:06:01 and 20:75:06:02; and 20:75:07:01 to 20:75:07:18, inclusive.

History-Notice: 28 SDR 166, May 28, 2002

Hearing: June 11, 2002

Filed: July 25, 2002

Effective: August 14, 2002

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 Commerce and Regulation for commercial driver licensing, the Department of Labor for Article 47:03, and the Department of Revenue.

REMINDER OF HEARINGS SCHEDULED

7-31-2002	Commerce and Regulation: Plumbing Commission	License fees, exceptions to conformation with national code, water piping to livestock facilities, public bathrooms, wet venting and number of fixture units, location of dual check backflow preventers; 28 SDR 177.
8-8-2002	Game, Fish and Parks	Canada goose and duck hunting seasons, repeal Dry Creek Waterfowl Refuge on Lake Oahe, public water zoning, no alcohol in Bear Butte State Park, prohibit leaving cremated human remains at Bear Butte State Park; 29 SDR 11.
8-9-2002	Finance and Management	Allow agencies to accept payment for goods with credit cards; 29 SDR 11.

8-13-2002	Commerce and Regulation: SD Real Estate Commission	Establish provisions for prelicensing and continuing education, compensate for reduction in funds, and conform the rules to statutes; 29 SDR 5.
8-16-2002	South Dakota Lottery	Update existing Powerball game rule to conform with rules adopted by the Powerball Group of the Multi-State Lottery Association; 29 SDR 15.
8-20-2002	Commerce and Regulation: Division of Insurance	Replacement of life insurance, HIPAA rules - employer plans, privacy of consumer financial information, and nondiscrimination in group market; 29 SDR 1.
8-22-2002	Department of Transportation	Amend speed zones in Minnehaha and Potter County; 29 SDR 15.
9-30-2002	Department of Commerce and Regulation: Board of Social Work Examiners	Assist social workers in achieving highest level of continuing education, clarify existing rules, and allow board to recover costs associated with examination fees; 29 SDR 15

Rules Review Committee Meetings

The next meeting of the Interim Rules Review Committee will be held Tuesday, August 6 in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2002 interim: September 17, November 20, and January 6.

Agencies whose rules have had a public hearing will be scheduled to meet with the Rules Review Committee and are asked to have a representative present at the meeting to give background information on their rules.

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

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