

REGISTER



South Dakota Legislative Research Council

Volume 28

Tuesday, 8:00 a.m., January 22, 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)

Department of Agriculture: South Dakota State Fair: (January 16, 2002) intends to adopt rules to correct errors, clarify dates, and update certain procedures. The general authority for these rules, as cited by the department, is SDCL 1-21-10.

A public hearing will be held at the Administration Building of the South Dakota State Fair, 890 Third Street, Huron, South Dakota, on February 15, 2002, at 10:00 a.m. Copies of the proposed rules may be obtained from the South Dakota State Fair, PO Box 1275, Huron, South Dakota 57350. Written comments may be sent to the South Dakota Department of Agriculture, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501-1234. Written comments must be received by February 15, 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) 773-4022 or 800-529-0900 at least forty-eight hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Administrative Rules:

DEPARTMENT OF EDUCATION AND CULTURAL AFFAIRS: SOUTH DAKOTA BOARD OF EDUCATION: 24:14:01:01; 24:14:02:04 to 24:14:02:07, inclusive; 24:14:02:09; 24:14:03:02, 24:14:03:04; 24:14:04:01, 24:14:04:04, 24:14:04:05,

24:14:04:07, 24:14:04:08, 24:14:04:11, 24:14:04:12, 24:14:04:13; 24:14:05:01 to 24:14:05:07, inclusive; 24:14:06:01 to 24:14:06:04, inclusive; 24:14:10:01 to 24:14:10:06, inclusive; 24:14:11:01, 24:14:11:03, 24:14:11:06, 24:14:11:07, 24:14:11:08; 24:14:12:01, 24:14:12:02; 24:14:13:01, 24:14:13:02, 24:14:13:04, 24:14:13:04.01, 24:14:13:05, 24:14:13:06; 24:14:14:01, 24:14:14:01.01, 24:14:14:05, 24:14:14:07, 24:14:14:08, 24:14:14:09, 24:14:14:12, 24:14:14:15, 24:14:14:20, 24:14:14:22; 24:14:15:01, 24:14:15:03 to 24:14:15:05, inclusive, and 24:14:15:07 to 24:14:15:16, inclusive.

History-Notice: 28 SDR 71, Nov. 13, 2001
Hearing: December 3, 2001
Filed: January 11, 2002
Effective: January 31, 2002

DEPARTMENT OF EDUCATION AND CULTURAL AFFAIRS: SOUTH DAKOTA BOARD OF EDUCATION: 24:05:30:04.

History-Notice: 28 SDR 71, Nov. 13, 2001
Hearing: December 3, 2001
Filed: January 11, 2002
Effective: January 31, 2002

BUREAU OF ADMINISTRATION: 10:02:02:01 and 10:02:02:02.

History-Notice: 28 SDR 71, Nov. 13, 2001
Hearing: December 4, 2001
Filed: January 14, 2002
Effective: February 3, 2002

DEPARTMENT OF COMMERCE AND REGULATION: DIVISION OF

INSURANCE: 20:06:39:10 to 20:06:39:15, inclusive.

History-Notice: 28 SDR 87, Dec. 10, 2001
Hearing: December 27, 2001
Filed: January 14, 2002
Effective: February 3, 2002

Executive Reorganization Order:

Executive Reorganization Order 2002-01, dated January 14, 2002, transfers various fire-fighting responsibilities from the state forester to the secretary of the department of agriculture. The Order amends SDCL 34-31-1, 34-31-2, 34-31-6, 34-31-8, 34-35-12.1, 34-35-16, 34-35-17, 34-35-18, 34-37-19, and 62-1-5.2. The changes to existing law will become effective ninety days after submission to the Legislature unless it is disapproved by a resolution concurred in by a majority of either house of the Legislature.

Executive Appointments:

Nora W. Hussey, Sturgis, was reappointed on December 14, 2001, to the **State Board of Pharmacy**, effective immediately and to continue to October 1, 2002.

Stephen R. Statz, Sioux Falls, was reappointed on December 14, 2001, to the **State Board of Pharmacy**, effective immediately and to continue to October 1, 2004.

Bob Simpson, Sioux Falls, was appointed on January 4, 2002, to the **South Dakota Math, Science, and Technology Council**, effective immediately and to continue at the pleasure of the Governor.

Gary Harrington, Huron, was appointed on January 4, 2002, to the **Board of Barber Examiners**, to replace Mary Miller, effective immediately and to continue to July 1, 2003.

Royce R. Loesch, Pierre, was appointed on January 4, 2002, to the **Board of Barber Examiners**, to replace Rhonda Gibson,

effective immediately and to continue to July 1, 2002.

Marvin Edward Haffner, Sioux Falls, was appointed on January 4, 2002, to the **Board of Barber Examiners**, to replace Donald Gisi, effective immediately and to continue to July 1, 2004.

Randy Silver, Rapid City, was appointed on January 7, 2002, to the **Board of Vocational Rehabilitation**, to replace Debby Reynolds, effective immediately and to continue to July 1, 2003.

Shelly Schock, Rapid City, was appointed on January 7, 2002, to the **Board of Vocational Rehabilitation**, to replace Anita Meier, effective immediately and to continue to July 1, 2002.

Timothy E. Neyhart, Pierre, was appointed on January 7, 2002, to the **Board of Vocational Rehabilitation**, to replace Nancy Schade, effective immediately and to continue to July 1, 2002.

Lynn Boettcher Fjellanger, Sioux Falls, was appointed on January 7, 2002, to the **Board of Vocational Rehabilitation**, to replace Bev Petersen, effective immediately and to continue to July 1, 2002.

Pamela Hericks, Pierre, was reappointed on January 7, 2002, to the **Board of Vocational Rehabilitation**, effective immediately and to continue to July 1, 2004.

Carol A. Robinson, Eagle Butte, was reappointed on January 7, 2002, to the **Board of Vocational Rehabilitation**, effective immediately and to continue to July 1, 2004.

Thomas W. Kober, Vermillion, was reappointed on January 7, 2002, to the **Board of Vocational Rehabilitation**, effective immediately and to continue to July 1, 2002.

Randal Brumbaugh, Platte, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

Lori Wilbur, Pierre, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

Collette Abbott, Vermillion, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

William Fischer, Pierre, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

Dana Nelson, Pierre, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

Jeffrey J. Fox, Sioux Falls, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

John L. Brown, Pierre, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

Nicole Nordbye, Pierre, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

Jerry Wheeler, Pierre, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

Steve Cutler, Huron, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

Max A. Gors, Pierre, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

Thomas J. Welk, Sioux Falls, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

Mike Butler, Sioux Falls, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

James L. Waggoner, Rapid City, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

Terri Lee Williams, Rapid City, was appointed on January 11, 2002, to the **Committee on Reasonable Child Custody and Visitation**, effective immediately and to continue at the pleasure of the Governor.

R. James Clift, Sioux Falls, was appointed on January 11, 2002, subject to Senate Confirmation, as the **Assistant Adjutant General, Air**, to replace Ronald W. Mielke, effective October 1, 2002, and to continue until March 31, 2004.

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

1-24-2002	Transportation	Speed zones on SD 45 in Platte; 28 SDR 91.
1-31-2002	Environment and Natural Resources: Board of Water and Natural Resources	Change name of Mid Dakota and Southern Missouri water development districts; add two directors; and redistrict director areas; 28 SDR 103.
2-15-2002	Agriculture: South Dakota State Fair	Correct errors, clarify dates, update procedures; 28 SDR 105.

Rules Review Committee Meetings

The Interim Rules Review Committee will meet again following the close of the Seventy-seventh Legislative Session.

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.

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 28 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>).