

REGISTER



South Dakota Legislative Research Council

Volume 30

Monday, 8:00 a.m., February 2, 2004

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 Labor: (January 30, 2004) has filed rules that will allow fireworks stands operators to have the option of receiving a seasonal designation for their business, to eliminate the denial of benefits to unemployed workers who serve on juries, and to clarify that appeals can be accepted by facsimile. The general authority for these rules, as cited by the department, is SDCL 61-1-39, 61-6-2, 61-7-1, and 61-7-8.

A public hearing will be held at the Department of Labor Office, 420 S. Roosevelt St., Aberdeen, South Dakota, on March 3, 2004, at 9:00 a.m. Copies of the proposed rules may be obtained without charge from and written comments sent to the Department of Labor, Box 4730, Aberdeen, South Dakota 57402-4730. Written comments must be received by the Department of Standards by March 14, 2004, 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) 626-2310 at least 48 hours before the hearing.

NOTICE: Pursuant to SDCL 45-6B-77, the **Department of Environment and Natural Resources** has submitted a master list of all permits, notices, and certificates which may be required by state statutory law or rules adopted by state agencies for mining. The list may be viewed or copied during business hours.

NOTICE: The **Department of Environment and Natural Resources** has filed a copy of the 2003 Annual Recycling Report.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

DEPARTMENT OF EDUCATION: SOUTH DAKOTA BOARD OF EDUCATION:
24:10:42:23.

History-Notice: 30 SDR 77, Nov. 10, 2003
Hearing: December 1, 2003
Filed: January 23, 2004
Effective: February 12, 2004

**DEPARTMENT OF HUMAN SERVICES:
BOARD OF COUNSELOR EXAMINERS:**
20:68:02:03; 20:68:07:03, 20:68:07:06 to
20:68:07:09, inclusive, 20:68:07:11,
20:68:07:13 to 20:68:07:17, inclusive;
20:71:05:02; 20:73:02:02; 20:73:04:01 and
20:73:04:03.

History-Notice: 30 SDR 71, Nov. 3, 2003
Hearing: November 21, 2003
Filed: January 28, 2004
Effective: February 17, 2004

Executive Appointments:

Aelred J. Kurtenbach, Brookings, was appointed on January 28, 2004, to the **South Dakota Senate**, to replace Larry Diedrich, effective immediately.

Dennis Landguth, Pierre, was appointed and commissioned to the position of **Secretary of the Department of Transportation**, effective

January 9, 2004, and shall continue at the pleasure of the Governor.

Mardell Davis, Pierre, was appointed and commissioned to the position of **Acting Secretary of the Department of Tourism and State Development**, effective December 29, 2003, and shall continue at the pleasure of the Governor.

Raymond W. Carpenter, Rapid City, was appointed and commissioned to the position of **Assistant Adjutant General, Army**, effective March 3, 2003, and shall continue at the pleasure of the Governor.

Tom Dravland, Pierre, was appointed and commissioned to the position of **Secretary of the Department of Public Safety**, effective March 29, 2003, and shall continue at the pleasure of the Governor.

Doneen Hollingsworth, Pierre, was appointed and commissioned to the position of **Secretary of the Department of Health**, effective April 1, 2003, and shall continue at the pleasure of the Governor.

Paul Kinsman, Pierre, was appointed and commissioned to the position of **Commissioner of the Bureau of Administration**, effective July 24, 2003, and shall continue at the pleasure of the Governor.

Rick Melmer, Pierre, was appointed and commissioned to the position of **Secretary of the Department of Education**, effective August 4, 2003, and shall continue at the pleasure of the Governor.

Betty Oldenkamp, Pierre, was appointed and commissioned to the position of **Secretary of the Department of Human Services**, effective April 1, 2003, and shall continue at the pleasure of the Governor.

Steve Pirner, Pierre, was appointed and commissioned to the position of **Secretary of the Environment and Natural Resources**, effective March 1, 2003, and shall continue at the pleasure of the Governor.

Sandra J. Zinter, Pierre, was appointed and commissioned to the position of **Commissioner of the Bureau of Personnel**, effective March 1, 2003, and shall continue at the pleasure of the Governor.

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

2-25-2004	Education	Adopt rules to implement the Hagen-Harvey memorial scholarship program; 30 SDR 119.
3-3-2004	Labor	Adopt rules regarding seasonal designation for fireworks stands operators, eliminate the denial of benefits to unemployed workers who serve on juries, and allow filing appeals by facsimile; 30 SDR 121.

Rules Review Committee Meetings

The Interim Rules Review Committee will have an informal meeting near the close of the Seventy-ninth Legislative Session to set the tentative meeting schedule for the 2004 interim. Watch for a notice of this informal meeting on the LRC website and at the Capitol.

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.

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