

# REGISTER



*South Dakota Legislative Research Council*

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

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

***Department of Environment and Natural Resources: Board of Water and Natural Resources:***

(March 2, 2004) intends to amend rules that will allow the Drinking Water and Clean Water State Revolving Fund programs to make loans for interim financing and to broaden the nonpoint source projects that may be funded through the Clean Water State Revolving Fund program. The general authority for these rules, as cited by the department, is SDCL 46A-1-60.1 to 46A-1-60.3, inclusive.

A public hearing will be held at the Matthew Training Center, 523 E. Capitol Avenue, Pierre, South Dakota, on March 25, 2004, at 1:00 p.m. CST. Copies of the proposed rules may be obtained without charge from and written comments sent to the Board of Water and Natural Resources, Department of Environment and Natural Resources, 523 East Capitol Avenue, Pierre, South Dakota 57501. Copies of the proposed rules may be accessed on the Department of Environment and Natural Resources web page at <http://www.state.sd.us/denr/What'sNew>. Written comments must be received by the close of business on March 24, 2004, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the board can make arrangements are asked to call (605) 773-4216 at least 48 hours before the hearing.

***Secretary of State: Board of Elections:*** (March 2, 2004) intends to adopt rules that will clarify wording on voter registration forms,

provide parameters for voter registration verification, clarify voter registration and petition deadline notices, require publication of instructions to voters, remove rules relating to punch card ballots, update the municipal nominating and special district formation petitions, and update election forms and procedures to accommodate provisional ballots. The general authority for these rules, as cited by the department, is SDCL 6-16-8, 12-1-9, 12-4-5.5, 12-17B-17, and 12-20-52.

A public hearing will be held in Room 412, State Capitol, Pierre, South Dakota, on March 26, 2004, at 8:30 a.m. Copies of the proposed rules may be obtained without charge from and written comments sent to the Election Department, Secretary of State's Office, 500 East Capitol Avenue, Pierre, South Dakota 57501 or at [www.sdsos.gov/boe.htm](http://www.sdsos.gov/boe.htm). Written comments must be received on or before March 25, 2004. This hearing is being held in a physically accessible place. Persons who have special needs for which the board can make arrangements are asked to call (605) 773-3537 before the hearing.

***Department of Transportation:*** (March 5, 2004) has filed rules to amend a speed zone in Lake County on SD Highway 34 through the city of Madison to provide a smooth transition from the 30 mile per hour segment to the 65 mile per hour speed at the east end of the city; set permit restrictions for lighting and mounting of forklifts to the rear of trucks and tractor trailers in an effort to enhance safety and visibility for the traveling public; and clarify responsibilities of business owners with tourist-oriented business signs to notify the Department of Transportation of business closings and to

assign responsibility of covering signs of closed businesses to the Department. The general authority for these rules, as cited by the department, is SDCL 31-29-80.1, 32-22-42, 32-25-7.

A public hearing will be held at 9:05 a.m. (CST) on March 25, 2004, in the commission room of the Becker-Hanson Building, 700 E. Broadway Avenue, Pierre, South Dakota. Copies of the proposed rules may be obtained without charge 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 on or before March 24, 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)

773-3265 at least 48 hours before the hearing.

**NOTICE:** The **South Dakota Lottery** is ending instant ticket game numbers 161- Whoop De Dough and 205 - Stocking Stuffer. The last day that prizes will be paid for these games is August 28, 2004.

**FILINGS IN THE SECRETARY OF STATE'S OFFICE:** (None)

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**

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| 3-15-2004 | Education: Board of Education   | Amend rules to ensure the requirements of the new bus driver manual are met; change the number of years of experience required for administrators to obtain full certification; adopt rules that define certification for school social workers; and adopt rules for the implementation of the statewide accountability system; 30 SDR 135. |
| 3-17-2004 | Revenue and Regulation: Commission on Gaming                            | Adopt a rule to allow a variation of poker known as Silverado Stud poker and Silverado Stud poker bonus; 30 SDR 129.  |
| 3-25-2004 | Environment and Natural Resources: Board of Water and Natural Resources | Amend rules that will allow the Drinking Water and Clean Water State Revolving Fund programs to make loans for interim financing and to broaden the nonpoint source projects that may be funded through the Clean Water State Revolving Fund program; 30 SDR 139.   |
| 3-25-2004 | Transportation  | Amend a speed zone in Lake County on SD Highway 34 through the city of Madison; amend rules regarding rear-mounted forklift permits; and clarify responsibilities of business owners with tourist-oriented business signs to notify the Department of Transportation of business closings and to assign responsibility                      |

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|           |   | of covering signs of closed businesses to the Department; 30 SDR 139.  |
| 3-26-2004 | Secretary of State: Board of Election                                   | Amend rules to clarify wording on voter registration forms, provide parameters for voter registration verification, clarify voter registration and petition deadline notices, require publication of instructions to voters, remove rules relating to punch card ballots, update the municipal nominating and special district formation petitions, and update election forms and procedures to accommodate provisional ballots; 30 SDR 139. |
| 4-15-2004 | Environment and Natural Resources:<br>Board of Minerals and Environment | Adopt rules regarding risk compensation in compulsory pooling and unitization orders; 30 SDR 135.  |

### *Rules Review Committee Meetings*

The Rules Review Committee will hold a meeting on Monday, March 15, 2004, at 12:00 noon in Room 413 of the State Capitol, Pierre, South Dakota, to set the meeting schedule for the upcoming interim.

**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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