

REGISTER

South Dakota Legislative Research Council



Volume 29

Monday, 8:00 a.m., April 7, 2003

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 Transportation: South Dakota Aeronautics Commission: (April 1, 2003) intends to adopt rules to amend the definition of private airports that are eligible for a one-time approval by the Commission, clarify the effective time period of the Commission approval and specify those airport applications that are subject to inspection prior to approval, and bring the rules into compliance with existing statutory requirements. The general authority for these rules, as cited by the department, are SDCL 50-2-2.1, 50-9-2, and 50-9-9.

A public hearing will be held in the Commission Room, Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota, on April 22, 2003, at 1:30 p.m. (CDT). Copies of the proposed rules may be obtained without charge from Department of Transportation, Office of Air, Rail & Transit, Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota 57501-2586. Written comments may be sent to the Department of Transportation, Office of Aeronautics, Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota 57501-2586. Written comments must be received by April 22, 2003, 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) 773-3574 at least 48 hours before the hearing.

Department of Commerce and Regulation: Division of Banking: (April 2, 2003) intends to

adopt a rule to increase the semiannual state bank examination fee. The general authority for this rule, as cited by the division, is SDCL 51A-2-13 and 51A-2-36.

A public hearing will be held at the Division of Banking Office, 217 ½ West Missouri Avenue, Pierre, South Dakota, on April 29, 2003, at 11:00 a.m. Copies of the proposed rule may be obtained without charge from and written comments sent to the State Banking Commission, Division of Banking, 217 ½ West Missouri Avenue, Pierre, South Dakota 57501-4590. Material sent by mail must be received by April 28, 2003, to be considered. Persons who have special needs for which the division can make arrangements are asked to call (605) 773-3421 at least 48 hours before the hearing.

Department of Labor: Division of Labor and Management: (April 3, 2003) is proposing rules to update the workers' compensation fee schedule. The general authority for these rules, as cited by the division, is SDCL 62-7-8.

A public hearing will be held in Conference Room 2, Kneip Building, 700 Governors Drive, Pierre, South Dakota, on May 16, 2003, at 10:00 a.m., CDT. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Department of Labor, Division of Labor and Management, Kneip Building, 700 Governors Drive, Pierre, South Dakota 57501-2291. Material sent by mail must be received by May 26, 2003, to be considered. Copies of the proposed rules may also be obtained by emailing seanna.regynski@state.sd.us. Persons who have special needs for which the division can make arrangements are asked to call (605) 773-3681

before the hearing.

NOTICE: The **South Dakota Lottery** is ending instant ticket game numbers 143 – Cowabundle and 158 – Road Trip. The last day that prizes will be paid for the games is August 24, 2003.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Administrative Rules:

Department of Education and Cultural Affairs: Board of Education: 24:03:06:06.01 and 24:03:06:06.05.

History-Notice: 29 SDR 105, January 13, 2003
 Hearing: January 28, 2003
 Filed: April 1, 2003
 Effective: April 21, 2003

Executive Order:

The Governor has signed **Executive Order 2003-03**. This order extends the provisions of Executive Order 2002-09 until midnight, December 31, 2003. The previous Executive Order allowed certain exceptions to administrative rules regulating the height and

weight of vehicles to facilitate the movement of certain baled feed.

Executive Appointments:

Roger Porch, Philip, was appointed on March 25, 2003, to the **South Dakota Board of Education**, to replace Margaret Dahl, effective immediately and shall continue until December 31, 2007.

David Peters, Spearfish, was appointed on March 28, 2003, to the **South Dakota Professional Administrators Practices and Standards Commission**, to replace Don Kirkegaard, effective immediately and shall continue until December 31, 2003.

Jackie Dahlquist, New Underwood, was reappointed on April 2, 2003, to the **Cosmetology Commission**, effective April 15, 2003, and shall continue until April 14, 2007.

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

| | | |
|-----------|---|--|
| 4-22-2003 | Transportation: Aeronautics Commission | Amend the definition of private airports, clarify time period of the Commission approval, and amend the application process; 29 SDR 139. |
| 4-23-2003 | Commerce & Regulation: Board of Nursing and Joint Board of Nursing and Board of Medical and Osteopathic Examiners | Amend licensure fees; 29 SDR 135. |
| 4-29-2003 | Commerce & Regulation: Division of Banking | Amend the semiannual bank examination fee; 29 SDR 139. |

| | | |
|-----------|---------------------------|--|
| 5-8-2003 | Health | Amend rules under the Health Professional Recruitment Incentive Program; 29 SDR 135. |
| 5-16-2003 | Labor: Labor & Management | Update the workers' compensation fee schedule; 29 SDR 139. |

Rules Review Committee Meetings

The first meeting of the Interim Rules Review Committee will be held Tuesday, April 15 in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2003 interim: May 13, June 10, August 5, September 8, October 6, and November 19.

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.

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 29 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>).