

REGISTER



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Monday, 8:00 a.m., May 3, 2004

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

Secretary of State: Board of Finance:

(April 27, 2004) intends to amend rules to make the reimbursement rate for motor vehicle transportation the same for an automobile, motorcycle, pick-up truck, cargo or passenger van, or sport utility vehicle and to increase the reimbursement rates allowed for State of South Dakota employee and officer use of privately-owned motor vehicles while on official business outside the city limits of the person's designated post of duty. The general authority for these rules, as cited by the board, is SDCL 3-9-1 and 3-9-2.

A public hearing will be held in LRC Room 412, 4th floor, State Capitol, Pierre, South Dakota, on May 18, 2004, at 2:00 p.m. CDT. Copies of the proposed rules may be obtained without charge from and written comments sent to the Board of Finance, c/o Secretary of State, 500 E. Capitol, Pierre, South Dakota 57501. Material sent by mail must be received by May 28, 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) 773-3537 at least forty-eight hours before the hearing.

Department of Transportation: (April 30, 2004) has filed rules to extend a 30 mph speed zone in Marshall County to reduce speeds near commercial businesses and sports complex along State Highway 27 at the south edge of Britton. The general authority for this rule, as cited by the department, is 32-25-7.

A public hearing will be held in the commission room of the Becker-Hansen Building, 700 E. Broadway Avenue in Pierre, South Dakota, on May 27, 2004, at 9:05 a.m. CDT. Copies of the proposed rule 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. Material sent by mail must reach the Department by May 26, 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.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Trish Dorn, Sioux Falls, was appointed on April 26, 2004, to the **Family Support Council**, to replace Margie Meyer, effective immediately and shall continue until July 1, 2007.

Cindy Taber, Chamberlain, was appointed on April 27, 2004, to the **Family Support Council**, to replace Susan Wiseman, effective immediately and shall continue until July 1, 2006.

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

5-6-2004	Game, Fish and Parks	Amend rules regarding the Youth Deer Season, the Black Hills Deer Hunting Season, the Fall Wild Turkey Hunting Season, the Nonresident Waterfowl Licenses, the Youth Pheasant Hunting Season, and Aerial Hunting; 30 SDR 165.
5-7-2004	Revenue & Regulation: Division of Securities	Adopt and amend rules to comply with the adoption of the new Uniform Securities Act 2002, chapter 47-31B; 30 SDR 165.
5-10-2004	Labor: Board of Technical Professions	Amend rules that will make it possible to use applications interactive over the internet, update references, change definitions, allow test vendors, permit students with five semesters of engineering to take the FE exam, provide for licensees to reactivate and reinstate, retake land surveying exam, add rules for fire alarm systems, and clarify expectations from licensees on exempt projects; 30 SDR 161.
5-10-2004	Health: Funeral Services Board	Amend rules regarding contested cases concerning license suspension or revocation matters; clarify certain definitions; broaden the prohibition against false listing and false advertising by limiting the use of the advertising phrase "locally owned and operated"; clarifying all funeral services contract requirements; adding circumstances under which an unembalmed body may be kept for a period greater than 24 hours; updating the traineeship procedures and requirements; updating the license application and examination process; impose costs and fees associated with certain inspections; insert a requirement as to when all crematories shall be opened for inspection; clarify refrigeration requirements; and delete redundant and outdated rules and statutory citations; 30 SDR 169.
5-11-2004	Labor: Division of Labor and Management	Updated the Workers' Compensation fee schedule; 30 SDR 152.
5-11-2004	Agriculture: Division of Agricultural Services	Update rules to meet the 2003 Pasteurized Milk Ordinance; 30 SDR 156.
5-11-2004	Agriculture: Division of Agricultural Services	Update manufacturing grade rules pertaining to the production of milk and milk products; 30 SDR 157.

5-11-2004	Agriculture: Division of Agricultural Services	Update rules regarding the quarantine against Karnal bunt, a wheat disease; 30 SDR 157.
5-11-2004	Agriculture: Division of Agricultural Services	Update the noxious weed list; 30 SDR 157.
5-13-2004	Board of Regents	Adopt rules to implement the South Dakota Opportunity Scholarship program; 30 SDR 165.
5-17-2004	Social Services: Economic Assistance	Amend rules to increase the payment standards for TANF households and reduce the maximum period of ineligibility when an applicant refuses to accept employment or additional hours of employment, terminates employment, or reduces hours of employment without good cause within the 60 days preceding the date of application; 30 SDR 170.
5-17-2004	Education: Board of Education	Amend rules to give the department the authority to grant endorsement level approval, rather than individual universities; allow students with a previous content specific major to take additional coursework in pedagogy to complete their education degrees and pass a content exam to verify their content knowledge; revise the rules so they are content standards based and allow preparing institutions the flexibility to vary their courses to meet the content standards; and allow principals to obtain preschool-12 certification.; 30 SDR 170.
5-18-2004	Secretary of State: Board of Finance	Amend rules to make the reimbursement rate for motor vehicle transportation the same for an automobile, motorcycle, pick-up truck, cargo or passenger van, or sport utility vehicle and to increase the reimbursement rates allowed for State of South Dakota employee and officer use of privately-owned motor vehicles while on official business outside the city limits of the person's designated post of duty; 30 SDR 177.
5-27-2004	Transportation	Extend a 30 mph speed zone in Marshall County to reduce speeds along State Highway 27 at the south edge of Britton; 30 SDR 177.
6-17-2004	Environment and Natural Resources: Board of Minerals and Environment	Amend rules to update existing hazardous waste rules by incorporating the federal rules by reference. This includes changes that have been made to the federal hazardous waste rules from July 1, 2002, to June 30, 2003. Changes to the rules include: establishing criteria for the use of certain materials in the production of

		zinc fertilizers, the establishment of treatment standards prior to disposing of certain metal-containing wastes, and the correction of technical errors in previously promulgated rules; 30 SDR 169.
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Rules Review Committee Meetings

The next meeting of the Interim Rules Review Committee will be held Tuesday, May 18, 2004, in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2004 interim: June 3, August 3, and October 15.

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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