

REGISTER



South Dakota Legislative Research Council

Volume 29

Monday, 8:00 a.m., June 2, 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 Environment and Natural Resources: Board of Water and Natural Resources: (May 27, 2003) has filed a rule that will revise the director areas for the Central Plains water development district. The general authority for this rule, as cited by the board, is SDCL 46A-3C-6.

A public hearing will be held at the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol Avenue, Pierre, South Dakota, on June 26, 2003, at 1:00 p.m. CDT. Copies of the proposed rule may be obtained without charge at the DENR web page at <http://www.state.sd.us/denr/DFTA/WWFunding> or by writing the Department of Environment and Natural Resources, Division of Financial and Technical Assistance, 523 East Capitol, Pierre, South Dakota 57501. Written comments may be sent to the Board of Water and Natural Resources, Department of Environment and Natural Resources, 523 East Capitol Avenue, Pierre, South Dakota 57501. Written comments must be received by the close of business on June 25, 2003. 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 the department at (605) 773-4216 at least forty-eight hours before the hearing.

Department of Labor: State Plumbing Commission: (May 28, 2003) has filed rules that will amend various definitions, repeal the requirement for identification for work installed, adopt the implementation of licensing restricted

persons performing plumbing in rural areas and municipalities under fifteen hundred population, establish initial and renewal fees for restricted licensees, and establish examination requirements for restricted license holders upon expiration of the grandfather clause. The general authority for these rules, as cited by the commission, is SDCL 36-25-14, 36-25-17.1, 36-25-17.2, 36-25-19, and 36-25-22.

A public hearing will be held at the Anderson Room of the Governors Inn Motel, 700 West Sioux Avenue, Pierre, South Dakota, on June 18, 2003, at 2:00 p.m. Copies of the proposed rules may be obtained without charge by writing the State Plumbing Commission, 118 West Capitol Avenue, Pierre, South Dakota 57501. Written comments may be sent to the State Plumbing Commission and must be received prior to June 18, 2003. Persons who have special needs for which the commission can make arrangements are asked to call (605) 773-3429 prior to the hearing.

Department of Transportation: (May 29, 2003) intends to adopt rules to amend speed zones in Brown County on US Highway 12 and on SD Highway 37 through the city of Groton. The general authority for these rules, as cited by the department, is SDCL 32-25-7.

A public hearing will be held at 9:05 a.m. (CDT) on June 26, 2003, in the Commission Room, Becker-Hansen Building, 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 June 25, 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) 773-3265 at least 48 hours before the hearing.

Department of Labor: Public Utilities

Commission: (May 30, 2003) intends to adopt rules to establish the operation of the South Dakota Do-Not-Call Register to allow South Dakota residential telephone subscribers to register to not receive unsolicited telephone calls from telephone solicitors. The general authority for these rules, as cited by the commission, is SDCL 49-31-99.

A public hearing will be held in Room 412, 4th floor, State Capitol, Pierre, South Dakota, on July 1, 2003, at 2:00 p.m. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Public Utilities Commission, 500 East Capitol, South Dakota 57501-5070. Materials sent by mail must be received by July 11, 2003, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the commission can make arrangements are asked to call (605) 773-3201 at least forty-eight hours before the hearing.

Department of Transportation: (June 2, 2003) intends to repeal rules to eliminate the requirements regarding issuance, possession, and display of pilot photo identification. The general authority for these rules, as cited by the department, is SDCL 50-11-36.

A public hearing will be held at 1:00 p.m. (CDT) on June 24, 2003, in the Commission

Room, Becker-Hansen Building, 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 June 23, 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) 773-3265 at least 48 hours before the hearing.

NOTICE: The **South Dakota Lottery** is ending instant ticket game number 148 – Stars and Stripes. The last day that prizes will be paid for this game is November 23, 2003.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Administrative Rules: (None)

Executive Appointments:

Dave Bozied, Brookings, was appointed on May 22, 2003, to the **Board of Economic Development**, to replace Susan Harlan, effective immediately and shall continue until April 19, 2008.

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

6-5-2003	Game, Fish and Parks	Amend the West River deer hunting season, tagging requirements for bobcats, amend the classification of the bald eagle and the mountain lion, increase the number of deer and
----------	----------------------	---

		antelope licenses that a person may apply for and receive, decrease the fee for resident one-tag and two-tag antelope licenses, and adopt and amend taxidermist records and tagging requirements; 29 SDR 159.
6-18-2003	Labor: Plumbing Commission	Amend definitions; adopt rules for licensing and examination requirements for restricted licensees; repeal the requirement for identification for work installed; 29 SDR 167.
6-24-2003	Education: Board of Education	Adopt and amend rules that require that the Professional Teachers Practices and Standards Commission and the Professional Administrators Practices and Standards Commission hold their respective meetings annually; that ensure that all teachers become highly qualified and to recognize the achievements of Nationally Board Certified teachers; require alternative certification teacher candidates submit copies of their state licensure exams to the department; and establish a teacher mentorship program; 29 SDR 163.
6-24-2003	Transportation	Repeal rules to eliminate the requirements regarding issuance, possession, and display of pilot photo identification; 29 SDR 168.
6-26-2003	Environment and Natural Resources: Board of Water and Natural Resources	Revise the director areas for the Central Plains water development district; 29 SDR 167.
6-26-2003	Transportation	Amend speed zones in Brown County on US Highway 12 and on SD Highway 37 through the city of Groton; 29 SDR 167.
7-1-2003	Labor: Public Utilities Commission	Adopt rules regarding the South Dakota Do-Not-Call Register; 29 SDR 168.
7-17-2003	Environment and Natural Resources: Board of Minerals and Environment	Update existing hazardous waste rules by incorporating the federal rules by reference; 29 SDR 163.

Rules Review Committee Meetings

The next meeting of the Interim Rules Review Committee will be held Tuesday, June 10, 2003, in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2003 interim: 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 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>).