

# REGISTER



*South Dakota Legislative Research Council*

*Volume 29*

*Monday, 8:00 a.m., July 8, 2002*

---

---

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 Commerce and Regulation: South Dakota Real Estate Commission:*** (July 1, 2002) intends to adopt rules to establish standard provisions for prelicensing and continuing education, to compensate for reduction in funds, and to conform the rules with statutes. The general authority for these rules, as cited by the commission, is SDCL 36-21A-31, 36-21A-34, 36-21A-34.1, 36-21A-38, 36-21A-47, 36-21A-49, 36-21A-61, 36-21A-63, 36-21A-89, 36-21A-90, 36-21A-130, and 43-15B-6.

A public hearing will be held in the Conference Room, Second Floor, Commerce Building, 118 West Capitol, Pierre, South Dakota, on August 13, 2002, at 9:00 a.m. Copies of the proposed rules may be obtained from and written comments sent to the South Dakota Real Estate Commission, 118 West Capitol, Pierre, South Dakota, 57501. Written comments must be received by August 12, 2002 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) 773-3600 at least forty-eight hours before the hearing.

**NOTICE:** The **Division of Insurance** has **cancelled** the hearing scheduled for July 17, 2002.

## **FILINGS IN THE SECRETARY OF STATE'S OFFICE:**

### ***Administrative Rules:***

**DEPARTMENT OF COMMERCE AND REGULATION: DIVISION OF INSURANCE:** 20:06:25:01.01 and 20:06:25:01.02.

History-Notice: 28 SDR 161, May 13, 2002  
Hearing: May 28, 2002  
Filed: June 20, 2002  
Effective: July 10, 2002

**DEPARTMENT OF SOCIAL SERVICES:** 167:18:01:66.

History-Notice: 28 SDR 177, June 17, 2002  
Hearing: N/A  
Filed: June 28 2002  
Effective: June 28, 2002

On June 20<sup>th</sup> the **DEPARTMENT OF SOCIAL SERVICES** filed revisions to the South Dakota Food Stamp Certification and Accountability Manual. One update dealt with eligibility for food stamps under the Trafficking Victims Protection Act. The second revision provided various corrections and clarifications for the administration of the food stamp program.

### ***Executive Appointments:***

**Shane C. Penfield**, Lemmon, was reappointed on June 25, 2002, to the **State Board of Regents**, effective July 1, 2002, and to continue to July 1, 2004.

**Dick Kelly**, Sioux Falls, was appointed on July 1, 2002, to the **South Dakota Senate**, to replace Kermit Staggers, effective immediately.

**Gene G. Abdallah**, Sioux Falls, was appointed on July 1, 2002, to the **South Dakota Senate**, to replace David R. Munson, effective immediately.

**Ron Williamson**, Sioux Falls, was appointed on July 1, 2002, to the **South Dakota House of Representatives**, to replace Gene G. Abdallah, effective immediately.

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

7-9-2002	Agriculture: Agricultural Services	Sampling for verification of transgenic seed use; 28 SDR 169.
7-9-2002	Agriculture: Animal Industry Board	Cervid chronic wasting disease program; 28 SDR 173.
7-11-2002	Game, Fish and Parks	Antelope, East River deer, West River prairie deer, early fall Canada goose hunting licenses and seasons, private shooting preserves; 28 SDR 181.
7-18-2002	Transportation: Aeronautics Commission	Aviation structures and pilot and airport employee ID; 28 SDR 181.
7-18-2002	Environment and Natural Resources: Board of Minerals and Environment	Requirements of hazardous waste facilities, add to hazardous waste list, land disposal restrictions, managing specific hazardous wastes; 28 SDR 165.
7-24-2002	Social Services	Repeal rule that allowed the department to assess, collect, and distribute interest on unpaid support obligations; 29 SDR 1.
7-25-2002	Agriculture	Loan programs, VALU Guaranty, Young Farmer Rancher Seminar, Junior Livestock Loan Program, Agricultural Youth Institute, change terminology and references; 29 SDR 1.
7-31-2002	Commerce and Regulation: Plumbing Commission	License fees, exceptions to conformation with national code, water piping to livestock facilities, public bathrooms, wet venting and number of fixture units, location of dual check

		backflow preventers; 28 SDR 177.
8-13-2002	Commerce and Regulation: SD Real Estate Commission	Establish provisions for prelicensing and continuing education, compensate for reduction in funds, and conform the rules with statutes; 29 SDR 5.

### *Rules Review Committee Meetings*

The next meeting of the Interim Rules Review Committee will be held Tuesday, August 6 in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2002 interim: September 17, November 20, and January 6.

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>).