

REGISTER



South Dakota Legislative Research Council

Volume 30

Monday, 8:00 a.m., August 11, 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 Education: South Dakota Professional Administrators Practices and Standards Commission: (August 5, 2003) has filed rules that require the commission to hold an annual meeting and additional special meetings as necessary. The general authority for these rules, as cited by the commission, is SDCL 13-43-42 and 13-43-45.

A public hearing will be held in the South East Technical Institute, Health and Science Building, Room 131, 2320 North Career Ave., Sioux Falls, South Dakota, on August 14, 2003, at 7:45 a.m. Copies of the proposed rules may be obtained from and written comments sent to the Department of Education, Professional Administrators Practices and Standards Commission, 700 Governors Drive, Pierre, South Dakota 57501. Written comments must be received by August 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) 773-4705 at least forty-eight hours before the hearing

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Administrative Rules:

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES: BOARD OF WATER AND NATURAL RESOURCES:
74:05:05:17.

History-Notice: 29 SDR 167, June 2, 2003
Hearing: June 26, 2003
Filed: August 5, 2003
Effective: August 25, 2003

DEPARTMENT OF GAME, FISH AND PARKS: 41:06:01:09; 41:06:02:03; 41:06:20:01, 41:06:20:01.01, 41:06:20:02; 41:08:01:08.01; 41:10:02:01, 41:10:02:02, and 41:10:02:04.

History-Notice: 29 SDR 159, May 19, 2003
Hearing: June 5-6, 2003
Filed: August 5, 2003
Effective: August 25, 2003

DEPARTMENT OF GAME, FISH AND PARKS: 41:05:02:68; 41:06:21:01, 41:06:21:02; 41:06:23:02, 41:06:23:03; 41:06:50:02; 41:08:02:01 to 41:08:02:13, inclusive; 41:09:01:06; 41:09:11:01 to 41:09:11:06, inclusive.

History-Notice: 29 SDR 175, June 16, 2003
Hearing: July 10-11, 2003
Filed: August 5, 2003
Effective: August 25, 2003

DEPARTMENT OF TRANSPORTATION:
70:01:02:03.

History-Notice: 29 SDR 167, June 2, 2003
Hearing: June 26, 2003
Filed: August 5, 2003
Effective: August 25, 2003

DEPARTMENT OF TRANSPORTATION:
70:02:06:01 to 70:02:06:03, inclusive.

History-Notice: 29 SDR 168, June 2, 2003
Hearing: June 24, 2003
Filed: August 5, 2003
Effective: August 25, 2003

DEPARTMENT OF TRANSPORTATION:
70:01:02:17, 70:01:02:48, 70:01:02:55;
70:03:01:37.

History-Notice: 30 SDR 1, July 7, 2003
Hearing: June 26, 2003
Filed: August 5, 2003
Effective: August 25, 2003

Executive Appointments:

Bruce Badmoccasin, Pierre, was appointed on August 4, 2003, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 2005.

Deborah Bowman, Pierre, was appointed on August 4, 2003, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 2004.

Phil Davis, Sioux Falls, was appointed on August 4, 2003, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 2006.

Jeffory Erickson, Watertown, was appointed on August 4, 2003, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 2004.

Kristie Fiegen, Sioux Falls, was appointed on August 4, 2003, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 2006.

Bill Nelson, Sisseton, was appointed on

August 4, 2003, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 2005.

John Porter, Sioux Falls, was appointed on August 4, 2003, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 2004.

Jim Reynolds, Sioux Falls, was appointed on August 4, 2003, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 2005.

Stephen Schroeder, Miller, was appointed on August 4, 2003, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 2006.

Clark Sinclair, Madison, was appointed on August 4, 2003, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 2006.

Jim Szana, Pierre, was appointed on August 4, 2003, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 2005.

Bob Sutton, Pierre, was appointed on August 4, 2003, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 2006.

Rita Wagner, Pierre, was appointed on August 4, 2003, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 2005.

Gale Walker, Parkston, was appointed on August 4, 2003, to the **South Dakota Commission on Health Care**, 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

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| 8-14-2003 | Education: Professional Administrators Practices and Standards Commission | Adopt rules requiring an annual meeting and specify how and when special meetings are called; 30 SDR 21. |
| 8-20-2003 | Revenue and Regulation: Real Estate Commission | Clarify licensing procedures and continuing education provisions; increase the duties authorized under an auctioneer's license and establish the time that an auction listing requires; and update materials incorporated by reference; 30 SDR 5. |
| 8-21-2003 | Attorney General: Law Enforcement Officers Standards and Training Commission | Adopt a rule concerning compensation for a reserve officer; 29 SDR 175. |
| 8-27-2003 | Public Safety: Office of the State Fire Marshal | Amend rules to change the name of the department to the Department of Public Safety; adopt the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, 2001 edition; and repeal requirements for the use of explosives for protection of sunflowers; 30 SDR 17. |

Rules Review Committee Meetings

The next meeting of the Interim Rules Review Committee will be held Monday, September 8, 2003, in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2003 interim: 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.

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