

REGISTER

South Dakota Legislative Research Council



Volume 28

Tuesday, 8:00 a.m., September 4, 2001

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 and Cultural Affairs: South Dakota Board of Education: (August 28, 2001) is proposing rules to establish consistent standards and a streamlined process for alternative routes to teacher certification. The general authority for these rules, as cited by the board, is SDCL 13-1-12.1 and 13-42-3.

A public hearing will be held in the Technical Education Center, Room 509, Lake Area Technical Institute, 1225 Arrow Avenue, Watertown, South Dakota, on Monday, September 17, 2001, at 8:30 a.m. Copies of the proposed rules may be obtained from and written comments sent to the South Dakota Department of Education and Cultural Affairs, South Dakota Board of Education, 700 Governors Drive, Pierre, South Dakota 57501-2291. Written comments must be received by September 14, 2001, 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) 773-3426 at least forty-eight hours before the hearing.

Department of Commerce and Regulation: Commission on Gaming: (August 28, 2001) is proposing a rule to eliminate the requirement that coin or token acceptors must be installed in slot machines, to clarify that coin acceptors must be designated to detect metal composition regardless of coin denomination, to eliminate the 20-coin limitation on slot machines, and to clarify that a game can be cleared by an attendant or cleared by the game itself only after

displaying an error condition for a certain period of time. The general authority for this rule, as cited by the commission, is SDCL 42-7B-7.

A public hearing will be held at City Hall, 102 Sherman Street, Deadwood, South Dakota, on Thursday, September 20, 2001, at 9:00 a.m. Copies of the proposed rule may be obtained from and written comments sent to the South Dakota Commission on Gaming, 118 West Capitol Avenue, Pierre, South Dakota 57501-2017. Written comments must be received by September 17, 2001, 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) 773-6050 or (605) 578-3074 at least forty-eight hours before the hearing.

Department of Social Services: (August 30, 2001) intends to adopt rules to allow the department to continue providing Temporary Assistance For Needy Families (TANF) assistance beyond the 60-month limit to those households qualifying under the proposed hardship provisions. The general authority for these rules, as cited by the department, is SDCL 28-7A-3.

A public hearing will be held in Conference Room 2, Kneip Office Building, 700 Governors Drive, Pierre, South Dakota, on Tuesday, September 25, 2001, at 1:15 p.m. Copies of the proposed rules may be obtained from and written comments sent to Jill Wellhouse, Administrative Rules, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501. Written comments must be received by September 9, 2001, 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) 773-3305 at least forty-eight hours before the hearing.

Department of Social Services: (August 30, 2001) intends to adopt a rule to increase the amount allowed for utilities when computing food stamp household's shelter expenses. The general authority for this rule, as cited by the department, is SDCL 28-12-1.

A public hearing will be held in Conference Room 2, Kneip Office Building, 700 Governors Drive, Pierre, South Dakota, on Tuesday, September 25, 2001, at 2:00 p.m. Copies of the proposed rule may be obtained from and written comments sent to Jill Wellhouse, Administrative Rules, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501. Written comments must be received by September 9, 2001, 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) 773-3305 at least forty-eight hours before the hearing.

FILINGS IN THE SECRETARY OF

STATE'S OFFICE:

Administrative Rules:

DEPARTMENT OF COMMERCE AND REGULATION: BOARD OF EXAMINERS OF PSYCHOLOGISTS: 20:60:05:08.

History-Notice: 27 SDR 107, April 16, 2001
 Hearing: June 28, 2001
 Filed: August 18, 2001
 Effective: September 7, 2001

DEPARTMENT OF COMMERCE AND REGULATION: BOARD OF NURSING: 20:48:03:08 and 20:48:04.01:12.

History-Notice: 27 SDR 145, June 25, 2001
 Hearing: July 19, 2001
 Filed: August 29, 2001
 Effective: September 18, 2001

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

9-6-2001	Secretary of State	Change notary public application form, procedures for collecting voter registration information from county auditors, remove duplicate voter registrations, requests and prices for obtaining files for lists from statewide voter registration file; 28 SDR 23.
9-6-2001	Game, Fish and Parks	Year around use and possession of weapons at Spirit Mound, use of bow and arrows at Chief White Crane, correct references to Spring Creek Recreation Area ban on possession of firearms

		and bows, modify duck hunting and Canada goose hunting seasons; 28 SDR 27.
9-12-2001	Commerce and Regulation: Public Utilities Commission	Make motor carrier rules conform to state and federal law; 28 SDR 28.
9-13-2001	Attorney General	Allow taking alternative biological samples, who may take samples, procedures involved; 28 SDR 27.
9-17-2001	Education and Cultural Affairs: Board of Education	Establish standards and streamline process for alternative teacher certification; 28 SDR 35.
9-20-2001	Joint Board of Nursing and Board of Medical and Osteopathic Examiners	Eliminate conflicting license expiration cycles and update licensure education requirements; 28 SDR 31.
9-20-2001	Commerce and Regulation: Commission on Gaming	Eliminate requirement that coin or token acceptors be installed in slot machines, coin acceptors must be able to detect metal composition, eliminate 20-coin limit on slot machines, clarify that game may be cleared by attendant or by the game itself after displaying errors; 28 SDR 35.
9-21-2001	Commerce and Regulation: Board of Chiropractic Examiners	Define manipulation/mobilization and committee; requirements for declaratory rulings; application for examination, license reciprocity, duplicate certificates and licenses; continuing ed courses; update code of ethics and establish committee, acceptable advertising, comply with statute concerning healthcare corporations, procedures for disciplinary actions, establish disciplinary committee, update actions that warrant sanctions, increase fee for certificate of registration and provide continuing ed for radiography, define negative peer review, set fees for peer review; 28 SDR 27.

9-25-2001	Social Services	Allow department to continue providing TANF assistance beyond 60-month limit under hardship provisions; 28 SDR 35.
9-20-2001	Social Services	Increase amount allowed for utilities when computing food stamp household's shelter expenses; 28 SDR 36.

Rules Review Committee Meetings

The next meeting of the Interim Rules Review Committee will be held on Monday, September 10 at 12:30 p.m. in Room 413 of the State Capitol. The meeting scheduled for October 8 will not be held; the final meeting of the 2001 interim will be November 28.

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. Each agency is requested to provide the LRC with eight copies of the most recent draft of its rules two days before the meeting.

Note: An updated version of the Administrative Rules Guide to Form and Style is now available at the LRC office and on the LRC website.