

REGISTER

South Dakota Legislative Research Council



Volume 28

Monday, 8:00 a.m., September 24, 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)

Bureau of Information and

Telecommunications: (September 19, 2001) is proposing rules to provide specifications for state agency use of electronic signatures and transactions. The general authority for these rules, as cited by the bureau, is SDCL 53-12-47.

A public hearing will be held in Conference Room 3, Kneip Office Building, 700 Governors Drive, Pierre, South Dakota, on Tuesday, October 16, 2001, at 1:15 p.m. Copies of the proposed rules may be obtained from and written comments sent to Jan Newman, Bureau of Information and Telecommunications, 1017 18th Street NE, Watertown, South Dakota 57201. Ms. Newman may be contacted by telephone at (605) 882-5711. Written comments must be postmarked by October 26, 2001, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the bureau can make arrangements are asked to call (605) 882-5711 at least forty-eight hours before the hearing.

Department of Social Services: (September 21, 2001) intends to adopt a rule under the authority of the Food Stamp Act of 1977, which establishes the parameters under which the Food and Nutrition Service (FNS) sets the monthly gross and net income eligibility standards for food stamp households based on the established thrifty food plan. The FNS will no longer publish in the Federal Register the annual updates to the monthly gross and net income eligibility standards, the maximum food stamp allotment, and the thrifty food plan. Effective

with the publication of the October 30, 2000 Federal Register, the FNS will notify states of the annual updates with a policy memo on the FNS web site at www.fns.usda.gov/fsp. These limits are effective October 1, 2001.

Department of Commerce and Regulation:

Public Utilities Commission: (August 16, 2001) filed rules with the Legislative Research Council with a hearing on September 12, 2001. That hearing was canceled and is rescheduled for October 11, 2001 (See page 48).

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Administrative Rules:

DEPARTMENT OF HEALTH: 44:63:01:01; 44:63:02:01 to 44:63:02:13, inclusive; 44:63:03:01 to 44:63:03:06, inclusive; 44:63:04:01, and 44:63:05:01.

History-Notice: 28 SDR 12, July 23, 2001
Hearing: August 22, 2001
Filed: September 14, 2001
Effective: October 4, 2001

SOUTH DAKOTA INVESTMENT COUNCIL: 06:01:06:01 to 06:01:06:05, inclusive.

History-Notice: 28 SDR 15, July 30, 2001
Hearing: August 22, 2001
Filed: September 17, 2001
Effective: October 7, 2001

DEPARTMENT OF AGRICULTURE: SOUTH DAKOTA ANIMAL INDUSTRY BOARD: 12:68:18:01.01.

History-Notice: 28 SDR 23, August 13, 2001
 Hearing: August 27, 2001
 Filed: September 20, 2001
 Effective: October 10, 2001

DEPARTMENT OF GAME, FISH AND

PARKS: 41:03:01:16, 41:06:16:02,
 41:06:16:02.01, 41:06:16:03, and 41:06:16:07.

History-Notice: 28 SDR 27, August 20, 2001
 Hearing: September 6, 2001
 Filed: September 20, 2001
 Effective: October 10, 2001

DEPARTMENT OF COMMERCE AND REGULATION: DIVISION OF

SECURITIES: 20:08:03:01 to 20:08:03:14,
 inclusive; 20:08:04:01 to 20:08:04:115,
 inclusive; 20:08:05:01, 20:08:05:01.01,

20:08:05:01.02, 20:08:05:01.03, 20:08:05:02,
 20:08:05:03, 20:08:05:08, 20:08:05:10, and
 20:08:05:11; 20:08:06:01 to 20:08:06:24,
 inclusive; and Appendix A; 20:08:07:01 to
 20:08:07:30, inclusive; and Appendix A, B, C,
 D, E, F, and G.

History-Notice: 28 SDR 7, July 16, 2001
 Hearing: August 16, 2001
 Filed: September 20, 2001
 Effective: October 10, 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

9-25-2001	Social Services	Allow department to continue providing TANF assistance beyond 60-month limit under hardship provisions; 28 SDR 35.
9-25-2001	Social Services	Increase amount allowed for utilities when computing food stamp household's shelter expenses; 28 SDR 36.
9-28-2001	Social Services	Homemaker, respite care, personal care and alternative care services, Home- and Community-Based Waivered Services (HCBWS), and level of care by a medical review team; 28 SDR 39.
10-2-2001	Human Services: Division of Rehabilitation Services	Appeal and hearing process for interpreters, number of evaluators on review panel, endorsement process, increase fee for certification; 28 SDR 43.
10-5-2001	Social Services	Diabetes education services for eligible persons; 28 SDR 43.
10-11-2001	Public Utilities Commission	Make motor carrier rules conform to state and federal law; 28 SDR 28.
10-16-2001	Bureau of Information and Telecommunications	State agencies use of electronic signatures and transactions; 28 SDR 47.

Rules Review Committee Meetings

The next meeting of the Interim Rules Review Committee will be held on Tuesday, October 23, at 7:00 a.m. in Room 413 of the State Capitol. 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.

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