

REGISTER



South Dakota Legislative Research Council

Volume 41

Monday, 8:00 a.m., December 8, 2014

NOTICE OF PROPOSED RULES: (None)

DECLARATORY RULING:

The Department of Labor has issued a Declaratory Ruling to interpret whether a bonus should be included in the calculation of the average weekly wage or earnings, dated November 25, 2014. The ruling determined if both discretionary and nondiscretionary bonuses should be considered earnings for the purposes of workers compensation. The ruling concluded that nondiscretionary bonuses such as longevity pay are included in the wage calculation and discretionary bonuses such as a Christmas Turkey or a signing bonus should not be included. Contact the Department of Labor for a copy of the ruling.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Order:

The Governor has signed **Executive Order 2014-14** dated December 4, 2014. The Governor has authorized the Governor's Task Force on

Trust Administration Review and Reform to review and make recommendations for changing the state's trust administration statutes to provide for efficient and effective administration of trusts. This order supersedes and replaces Executive Orders 97-10, 97-12, 97-17, and 2011-14. The task force will be administered by the Department of Labor and Regulation and will report their recommendations annually to the Governor. The task force will continue until January 1, 2019.

Note: A copy of the rules may be obtained directly from the above agencies or at <https://rules.sd.gov>. 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 Revenue and Regulation, and the Department of Labor for Article 47:03.

REMINDER OF HEARINGS SCHEDULED

12-11-2014	Game, Fish and Parks	Amend a rule to authorize statewide spearing of game fish, open boundary waters to seasons that match adjoining states spearing laws, make the season the same as hook and line, open January 1 and end the last day of December, and allow the taking of all species of fish except those that are protected; 41 SDR 97, November 24, 2014.
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RULES REVIEW COMMITTEE MEETINGS

The last regular meeting of the Interim Rules Review Committee will be held on Tuesday, December 16, 2014, via the Digital Dakota Network (DDN) in Room 414, Fourth Floor of the State Capitol. Other DDN sites will be: Huron – DHS, 2361 Dakota Ave. S; Mitchell – Mitchell Technical Institute, 1800 E. Spruce, Room TC 155; Rapid City – SD School of Mines & Technology, 501 E. St. Joseph St., Room CB 109; and Sioux Falls – University Center, 4801 N. Career Ave., Room FADM 145.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the LRC website at <http://legis.sd.gov/Rules/RulesManual.aspx>.