

REGISTER



South Dakota Legislative Research Council

Volume 33

Tuesday, 8:00 a.m., December 26, 2006

NOTICES OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Environment and Natural Resources: Board of Minerals and Environment: (December 18, 2006) has filed rules to identify the requirements an applicant must meet to obtain a state mine permit for and to operate an in situ leach mine. The general authority for these rules, as cited by the board, is SDCL 45-6B-81.

A public hearing will be held at the Matthew Environmental Education and Training Center, Joe Foss Building, 523 East Capitol Avenue, Pierre, South Dakota on January 18, 2007, at 9:00 a.m. CST. Copies of the proposed rules may be obtained from and written comments sent to Minerals and Mining Program, Department of Environment and Natural Resources, 523 E. Capitol, Pierre, South Dakota 57501. An electronic version of the rules is also available on the department's web site at <http://www.state.sd.us/denr/DES/Mining/insiturgs.htm>. Material sent by mail must be received by January 17, 2007, to be considered. This hearing is being held in a physically accessible place and interpreter services will be provided upon request. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-4201 at least 48 hours before the public hearing.

FILINGS IN THE SECRETARY OF STATES OFFICE:

DEPARTMENT OF AGRICULTURE: SOUTH DAKOTA PULSE COUNCIL:

12:80:01:01 to 12:80:01:05, inclusive;
12:80:02:01 to 12:80:02:03, inclusive;
12:80:03:01 to 12:80:03:03, inclusive; and
12:80:04:01 to 12:80:04:05, inclusive.

History-Notice: 33 SDR 41, Sept. 5, 2006
Hearing: September 29, 2006
Filed: December 19, 2006
Effective: January 8, 2007

Executive Appointments:

Barry Eikamp, Gettysburg, was reappointed on December 19, 2006, to the **South Dakota Professional Administrators Practices and Standards Commission**, effective January 1, 2007, and shall continue until December 31, 2009.

Robert Mayer, Watertown, was reappointed on December 19, 2006, to the **South Dakota Professional Administrators Practices and Standards Commission**, effective January 1, 2007, and shall continue until December 31, 2009.

David Peters, Spearfish, was reappointed on December 19, 2006, to the **South Dakota Professional Administrators Practices and Standards Commission**, effective January 1, 2007, and shall continue until December 31, 2009.

Kory Menken, Dakota Dunes, was reappointed on December 20, 2006, to the **South Dakota Lottery Commission**, effective January 1, 2007, and shall continue until January 1, 2010.

Mark Mickelson, Sioux Falls, was appointed on December 20, 2006, to the **South Dakota Economic Development Finance Authority Board of Directors**, to replace Jack Lynass, effective immediately and shall continue until June 30, 2010.

Dick Werner, Huron, was reappointed on December 20, 2006, to the **South Dakota**

Lottery Commission, effective January 1, 2007, and shall continue until January 1, 2010.

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 Revenue and Regulation, and the Department of Labor for Article 47:03.

REMINDER OF HEARINGS SCHEDULED

1-2-2007	Social Services	Amend rules relating to Child Care Services to: if in school, require the client to attend at least 80 hours of actual class time a month; if working and attending school, clarify that the client's combined work time and school hours must be a minimum of 80 hours a month; delete an exception to the work and education requirements for a client who participates at least 25 hours a month in employment and training under the Food Stamp Program; specify that a household is not required to participate in the cost of a child care if the household's adjusted income is at or below the federal poverty level; require households with an adjusted income between 101 percent and 200 percent of the federal poverty level to contribute to the cost of care; specify that a household is ineligible for child care assistance if the household's adjusted income exceeds 200 percent of the federal poverty level; specify that a household's copayment may not exceed 15 percent of the household's adjusted income; specify that a family must pay 100 percent of its child care costs if the family's nonrecurring lump sum income exceeds 200 percent of the federal poverty level; move the maximum rates payable for child care service costs to the Department's website and specify that the established rates are based on local market rate surveys; allow a child care provider to bill for any absence, intended or not, up to nine hours
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		a week with a maximum of 36 hours a month; allow a child care provider to bill up to four hours a day while the child is not in care because the child is attending a pre-school operated by a school district; no longer require a provider to obtain a tuberculin skin test and submit the test results to the Department; no longer require an in-home, relative, or informal provider to complete three hours of training in the area of child care within the first six months; redetermine a client's eligibility for transitional child care benefits and the amount of the client's copayment once every 12 months and allow the Department to redetermine eligibility and the amount of the copayment earlier if the Department has information that verifies the client will no longer be employed; and no longer require the parent to complete and submit to the Department a status review form; 33 SDR 105.
1-18-2007	Environment and Natural Resources: Board of Minerals and Environment	Adopt rules to identify the requirements an applicant must meet to obtain a state mine permit for and to operate an in situ leach mine; 33 SDR 117.
1-25-2007	Transportation	Amend a speed zone in Yankton County on South Dakota Highway 52 west of Yankton to remove the existing 40 mile per hour speed zone west of town and to add a new 40 mile per hour speed zone at the western edge of town; 33 SDR 105.

RULES REVIEW COMMITTEE MEETINGS

The last meeting of the Interim Rules Review Committee will be held Monday, January 8, 2007, in Room 413 of the State Capitol.

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

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