

REGISTER



South Dakota Legislative Research Council

Volume 34

Monday, 8:00 a.m., January 14, 2008

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: Water Management Board: (January 10, 2008) intends to amend rules regarding Underground Injection Control-Class III Wells to update the requirements an applicant must meet to obtain a state permit. The updates include more comprehensive requirements for the permit application, well construction, well mechanical integrity testing, plugging of wells and drill holes, baseline water equality sampling, remedial action, ground water restoration and postclosure activities. The general authority for these rules, as cited by the board, is SDCL 34A-2-93.

A public hearing will be held in the Matthew Environmental Education and Training Center, 523 East Capitol Avenue, Pierre, South Dakota, on March 12, 2008, at 8:30 a.m. CST. Copies of the proposed rules may be obtained without charge from and written comments sent to Department of Environment and Natural Resources, Ground Water Quality Program, Joe Foss Building, 523 East Capitol, Pierre, South Dakota 57501. An electronic version of the rules is available on the department's web site at http://www.state.sd.us/denr/DES/Ground/groun_dprg.htm. Material sent by mail must reach the Ground Water Quality Program by February 20, 2008, 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) 773-3296 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

DEPARTMENT OF AGRICULTURE: STATE FAIR: 12:02:01:01; 12:02:02:04, 12:02:02:05; 12:02:04:02, 12:01:04:05; 12:02:05:01; 12:02:07:04, 12:02:07:05; 12:02:08:01, 12:02:08:02, 12:02:08:05; 12:02:16:06, 12:02:16:17, 12:02:16:35; and 12:02:17:03.

History-Notice: 34 SDR 179, Dec. 10, 2007
Hearing: December 27, 2007
Filed: January 7, 2008
Effective: January 28, 2008

DEPARTMENT OF EDUCATION: BOARD OF EDUCATION: 24:10:42:23.

History-Notice: 34 SDR 135, Nov. 5, 2007
Hearing: November 19, 2007
Filed: January 7, 2008
Effective: January 28, 2008

DEPARTMENT OF GAME, FISH AND PARKS: 41:03:01:16; 41:06:13:01, 41:06:13:02, 41:06:13:04; 41:07:06:03.01, and 41:07:06:05.

History-Notice: 34 SDR 141, Nov. 19, 2007
Hearing: December 6, 2007
Filed: January 7, 2008
Effective: January 28, 2008

**DEPARTMENT OF HUMANS SERVICES:
DIVISION OF DEVELOPMENTAL
DISABILITIES:** 46:10:05:00 to 46:10:05:17,
inclusive; and 46:10:07:01 to 46:10:07:35,
inclusive.

History-Notice: 34 SDR 145, Nov. 19, 2007
Hearing: December 11, 2007
Filed: January 7, 2008
Effective: January 28, 2008

**SECRETARY OF STATE: BOARD OF
FINANCE:** 5:01:07:07.

History-Notice: 34 SDR 156, Nov. 26, 2007
Hearing: December 18, 2007
Filed: January 7, 2008
Effective: January 28, 2008

**DEPARTMENT OF REVENUE AND
REGULATION: APPRAISER
CERTIFICATION PROGRAM:** 20:14:06:01,
20:14:06:01.01; and 20:14:11:03.

History-Notice: 34 SDR 139, Nov. 13, 2007
Hearing: December 17, 2007
Filed: January 8, 2008
Effective: January 28, 2008

**DEPARTMENT OF REVENUE AND
REGULATION: DIVISION OF
INSURANCE:** 20:06:08:40; 20:06:18:01,
20:06:18:01.01, 20:06:18:02, 20:06:18:03,
20:06:18:04.01, 20:06:18:05, 20:06:18:05.01,
20:06:18:05.02, 20:06:18:11, 20:06:18:12,
20:06:18:20; 20:06:39:34, and 20:06:39:35.

History-Notice: 34 SDR 115, Oct. 22, 2007
Hearing: November 9, 2007
Filed: January 8, 2008
Effective: January 28, 2008

**DEPARTMENT OF REVENUE AND
REGULATION: DIVISION OF
INSURANCE:** 20:06:21:75.

History-Notice: 34 SDR 141, Nov. 19, 2007
Hearing: December 13, 2007

Filed: January 8, 2008
Effective: January 28, 2008

**DEPARTMENT OF REVENUE AND
REGULATION: BANKING
COMMISSION:** 20:07:03:14, 20:07:03:15,
20:07:03:25; 20:07:05:31; 20:07:09:03,
20:07:09:04; 20:07:19:04, 20:07:19:05, and
20:07:19:07.

History-Notice: 34 SDR 116, Oct. 22, 2007
Hearing: November 9, 2007
Filed: January 9, 2008
Effective: January 29, 2008

**DEPARTMENT OF REVENUE AND
REGULATION: COMMISSION ON
GAMING:** 20:04:01:32; 20:04:33:01,
20:04:33:07.01 to 20:04:33:07.08, inclusive;
20:18:14.01:01, 20:18:14.01:03,
20:18:14.01:06; and 20:18:29:05.

History-Notice: 34 SDR 155, Nov. 26, 2007
Hearing: December 11, 2007
Filed: January 9, 2008
Effective: January 29, 2008

**DEPARTMENT OF SOCIAL SERVICES:
CHILD PROTECTION SERVICES:**
67:42:01:04.01, 67:42:01:12; 67:42:07:01 to
67:42:07:05, inclusive, 67:42:07:07,
67:42:07:08, 67:42:07:10 to 67:42:07:12,
inclusive, 67:42:07:14, 67:42:07:18,
67:42:07:19, 67:42:07:24 to 67:42:07:29,
inclusive; 67:42:08:01 to 67:42:08:03, inclusive,
67:42:08:05, 67:42:08:07, 67:42:08:09;
67:42:09:02, 67:42:09:03; 67:42:12:08;
67:42:15:01, 67:42:15:02, 67:42:15:04,
67:42:15:05, 67:42:15:07, 67:42:15:10,
67:42:15:11, 67:42:15:14, 67:42:15:16,
67:42:15:18, 67:42:15:19, and 67:42:15:21.

History-Notice: 34 SDR 142, Nov. 19, 2007
Hearing: December 6, 2007
Filed: January 10, 2008
Effective: January 30, 2008

**DEPARTMENT OF PUBLIC SAFETY:
OFFICE OF EMERGENCY MEDICAL
SERVICES:** 44:05:01:01, 44:05:01:02;
44:05:04:01, 44:05:04:07 to 44:05:04:15.01,
inclusive, 44:05:04:19, 44:05:04:20;
44:05:05:01 to 44:05:05:04, inclusive,
44:05:05:09 to 44:05:05:12, inclusive,
44:05:05:17, and 44:05:05:20.

History-Notice: 34 SDR 116, Oct. 22, 2007
Hearing: November 16, 2007
Filed: January 11, 2008
Effective: January 31, 2008

Executive Appointments:

Rick Hohn, Watertown, was reappointed on January 3, 2008, to the **South Dakota Professional Administrators Practices and Standards Commission**, effective immediately and shall continue until December 31, 2010.

Michael Taplett, Huron, was reappointed on January 3, 2008, to the **South Dakota Professional Administrators Practices and Standards Commission**, effective immediately and shall continue until December 31, 2010.

Jayne Wells, Sioux Falls, was reappointed on January 3, 2008, to the **South Dakota Professional Administrators Practices and Standards Commission**, effective immediately and shall continue until December 31, 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

3-12-2008	Environment and Natural Resources: Water Management Board	Amend rules regarding Underground Injection Control-Class III Wells to update the requirements an applicant must meet to obtain a state permit. The updates include more comprehensive requirements for the permit application, well construction, well mechanical integrity testing, plugging of wells and drill holes, baseline water equality sampling, remedial action, ground water restoration and postclosure activities; 34 SDR 199.
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RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee will have an informal meeting near the close of the Eighty-third Legislative Session to set the tentative meeting schedule for the 2008 interim. Watch for a notice of this informal meeting on the LRC website and at the 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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