

# REGISTER



*South Dakota Legislative Research Council*

Volume 28

Monday, 8:00 a.m., March 11, 2002

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A COPY OF EACH REGISTER IS FILED IN THE OFFICE OF THE SECRETARY OF STATE

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

***Department of Commerce and Regulation:***

***Division of Insurance:*** (March 6, 2002) intends to adopt rules to establish time frames in which eligible individuals must apply for subsequent coverage following receipt of rejection notices, clarify the effective date of subsequent coverage, and provide notice to affected individuals regarding guaranteed issue of health plans; and rules to include disclosure language for purchasers of large value life insurance policies. The general authority for these rules, as cited by the division, is SDCL 58-15-17, 58-15-26, 58-15-26.2, 58-15-33, 58-17-85, and 58-17-87.

A public hearing will be held in the first floor conference room of the Commerce Building, 118 West Capitol Avenue, Pierre, South Dakota, on Wednesday, March 27, 2002, at 1:00 p.m. Copies of the proposed rules may be obtained from and written comments sent to the South Dakota Division of Insurance, 118 West Capitol Avenue, Pierre, South Dakota 57501-2000. Written comments may be sent to the Division of Insurance at the above address and must be received by Friday, April 8, 2002, to be considered. The rules are also available on the division's website at:

<http://www.state.sd.us/dcr/insurance/index.htm>. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-3563 before the hearing.

**NOTICE:** The **South Dakota Lottery** is ending instant ticket game number 165 – Fast

Cash. The last day that prizes will be paid for the game is August 27, 2002.

**FILINGS IN THE SECRETARY OF STATE'S OFFICE:**

**DEPARTMENT OF GAME, FISH AND**

**PARKS:** 41:03:01:05, 41:03:01:16, 41:04:02:02, 41:04:02:04, 41:04:02:06, 41:04:02:07, 41:04:02:08, 41:04:02:09, 41:04:02:11, 41:04:02:12, 41:04:02:14, 41:04:02:15, 41:04:02:16, 41:04:02:18, 41:04:02:19, 41:04:02:20, 41:04:02:22, 41:04:02:23, 41:04:02:26, 41:04:02:27, 41:04:02:28, 41:04:02:29, 41:04:02:32, 41:04:02:33, 41:04:02:36, 41:04:02:39, 41:04:02:41, 41:04:02:42, 41:04:02:43, 41:04:02:45, 41:04:02:46, 41:04:02:49, 41:04:02:50, 41:04:02:51, 41:04:02:52, 41:04:02:58, 41:04:02:62, 41:04:02:64, 41:05:02:68, 41:06:13:01, 41:06:13:02, 41:07:06:01, 41:07:06:02, and 41:07:06:03.

History-Notice: 28 SDR 91, Dec. 17, 2001  
Hearing: January 3, 2002  
Filed: February 26, 2002  
Effective: March 18, 2002

**DEPARTMENT OF TRANSPORTATION:**

70:01:02:17

History-Notice: 28 SDR 91, Dec. 17, 2001  
Hearing: January 24, 2002  
Filed: March 4, 2002  
Effective: March 24, 2002

***Executive Appointment:***

**James A. Rice**, Brookings, was appointed on February 27, 2002, to the **South Dakota Math**,

**Science, and Technology Council**, to replace Dave Benfield, effective immediately and to continue at the pleasure of the Governor.

### *Executive Order*

**Executive Order 2002-02**, dated March 7, 2002, declares that the offices for state government will be closed for the afternoon of Friday, March 29, 2002.

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

3-13-2002	Environment and Natural Resources: Water Management Board	Well driller and well pump installer licensing requirement; 28 SDR 117.
3-13-2002	Environment and Natural Resources: Environmental Services	Revisions to federal regulations, Phase II Storm Water Regulations; 28 SDR 117
3-18-2002	Education and Cultural Affairs: Board of Education	Change postsecondary vocational education funding formula; 28 SDR 118.
3-21-2002	Law Enforcement Officers Standards and Training Commission: Criminal Investigation	Prevent law enforcement officers and 911 telecommunicators who lost certification in other states from becoming employed in SD, allow certain applicants to reapply for certification, executive director establish and publish test score, allow certain officers to retain certification by taking refresher course; 28 SDR 118.
3-21-2002	Commerce and Regulation: Commission on Gaming	New variation on the game of poker, alternative payment schedule for Let It Ride poker, allow for mixed denomination WPA systems, update section of Gaming Internal Revenue Reporting Manual; 28 SDR 118.
3-27-2002	Commerce and Regulation: Division of Insurance	Guaranteed issue health insurance and large value life insurance policies; 28 SDR 129.

***Rules Review Committee Meetings***

The first meeting of the Interim Rules Review Committee will be held Tuesday, April 16 in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2002 interim: May 14, June 11, August 6, September 17, November 20, and January 6.

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 web site.

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