REGISTER

South Dakota Legislative Research Council

Volume 36 *Monday, 8:00 a.m., March 15, 2010*

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

Department of Revenue and Regulation: Division of Insurance: (March 11, 2010) has filed a rule change to amend risk pool appeal procedures. The general authority for this rule, as cited by the division, is SDCL 58-17-124.

A public hearing will be held in the Governor's Large Conference Room, Capitol Building, Pierre, South Dakota, on April 15, 2010, at 10:00 a.m. Paper copies of the proposed rule may be obtained without charge from and written comments sent to the Department of Revenue and Regulation, Division of Insurance, Administrative Rules, 445 E. Capitol Avenue, Pierre, South Dakota 57501-3185. Material sent by mail must reach the Division of Insurance by April 14, 2010, to be considered. The text of the proposed rules will be posted on the Department of Revenue and Regulation's website at http://www.state.sd.us/drr2/reg/insurance/Legal/hearing.htm. The rules may also be obtained as a Microsoft Word attachment by emailing Melissa.Klemann@state.sd.us. 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) 773-3563 at least 48 hours before the hearing.

Department of Environment and Natural Resources: Board of Minerals and Environment: (March 11, 2010) has filed rules to amend air pollution control program rules to comply with revisions to the federal regulations. The general authority for these rules, as cited by the board, is SDCL 34A-1-6, 34A-1-12, 34A-1-15, 34A-1-18, 34A-1-19, 34A-1-21, 34A-1-24, 34A-1-57, and 34A-1-58.

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 April 15, 2010, at 10:15 a.m. CDT. Copies of the proposed rules may be obtained from and written comments sent to Kyrik Rombough, Natural Resources Engineering Specialist, Department of Environment and Natural Resources, 523 E. Capitol, Pierre, South Dakota 57501. Material sent by mail must be received by 14, 2010, 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) 773-3151 at least 48 hours before the public hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointment:

Paul Goldhammer, Wall, was appointed on March 8, 2010, to the **Board of Water and Natural Resources**, to replace Kelly Wheeler, effective March 5, 2010, and shall continue until July 1, 2011.

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

3-26-2010	Revenue and Regulation: Lottery Commission	Adopt rules to offer the Mega Millions game with the Megaplier option and establish the parameters for the game; 36 SDR 133.
3-31-2010	Education: Board of Education	Amend a postsecondary program rule to develop an equitable distribution of state funds for the Technical Institutes; and amend certification rules to reflect certification practices and clarify current language, and create new technology endorsements for individuals to add to their current certification; 36 SDR 137.
4-9-2010	Agriculture: Board of Veterinary Medical Examiners	Amend Licensure Requirements rules to state in rule the application fee is $75, the license by endorsement fee is $25, the veterinary technician registering fee is $20, the renewal fee for a veterinarian's license is $100 biennially and that there is a $50 late fee for renewals after July first; 36 SDR 137.
4-15-2010	Revenue and Regulation: Division of Insurance	Amend risk pool appeal procedures; 36 SDR 137.
4-15-2010	Environment and Natural Resources: Board of Minerals and Environment	Amend air pollution control program rules to comply with revisions to the federal regulations; 36 SDR 137.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held Tuesday, April 20, 2010, in Room 414, Fourth Floor, of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2010 interim: June 8, July 20, August 31, September 28, November 17, and December 20.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the Legislative Web site at ***http://legis.state.sd.us/rules/index.aspx***.

The **South Dakota Register**, ISSN 0191-1104, is published by the South Dakota Legislative Research Council pursuant to SDCL 1-26A-1. Subscriptions to Volume 36 are $25. Make checks payable to "State of South Dakota" and mail to the Legislative Research Council, State Capitol, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070. Information from the Register is available free of charge on the Internet at http://legis.state.sd.us. Subscribe to receive electronic notification of the availability of the **South Dakota Register** at **MyLRC** (http://legis.state.sd.us/mylrc/index.aspx).