

# REGISTER

*South Dakota Legislative Research Council*



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

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

***Department of Agriculture:*** (June 25, 2002) intends to adopt rules to change eligibility criteria for loan programs, increase the VALU Guaranty amount, set up a reserve fund for Guaranty Programs, discontinue the Young Farmer Rancher Seminar requirements, repeal both the Junior Livestock Loan Program and the South Dakota Agricultural Youth Institute, and make changes in terminology and references. The general authority for these rules, as cited by the department, is SDCL 38-6-8.1.

A public hearing will be held at the South Dakota Department of Agriculture, Foss Building, 523 East Capitol, Pierre, South Dakota, on July 25, 2002, at 1:30 p.m. Copies of the proposed rules may be obtained from and written comments sent to the South Dakota Department of Agriculture, Foss Building, 523 East Capitol, Pierre, South Dakota, 57501. Written comments must be received by August 5, 2002 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) 773-5436 at least forty-eight hours before the hearing.

***Department of Social Services:*** (June 28, 2002) intends to repeal a rule that allowed the department to assess, collect, and distribute interest on unpaid support obligations or arrearages. The general authority for this rule, as cited by the department, is SDCL 25-7A-3.2 and 28-7A-3.

A public hearing will be held in Conference Room 1, Kneip Office Building, 700 Governors Drive, Pierre, South Dakota, on Wednesday, July 24, 2002, at 1:15 p.m. Copies of the proposed rules may be obtained from and written comments sent to Jill Wellhouse, Administrative Rules, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501. Written comments must be received by August 5, 2002, 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) 773-3305 at least forty-eight hours before the hearing.

***Department of Commerce and Regulation: Division of Insurance:*** (June 28, 2002) is proposing rules to ensure nondiscrimination in the group market between similarly situated individuals, to eliminate conflicting elements to certain new rules, to establish standards for developing and implementing safeguards to protect the security and confidentiality of customer information, and to provide a means for policyholders to request a cash surrender, obtain maximum policy loans or to make a 1035 exchange if the required forms are not provided by the insurer within a specified timeframe. The general authority for these rules, as cited by the department, is SDCL 58-2-41, 58-15-82, and 58-18-79.

A public hearing will be held in the First Floor Conference Room of the Commerce Building, 118 West Capitol, Pierre, South Dakota, on July 17, 2002, at 9:00 a.m. Copies of the proposed rules may be obtained from and written comments sent to the South Dakota Division of Insurance, 118 West Capitol, Pierre, South

Dakota 57501-2000. Copies of the proposed rules are also available on the division's website at: [www.state.sd.us/insurance](http://www.state.sd.us/insurance). Written comments must be received by July 26, 2002, to be considered. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-3563 before the hearing.

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.

**FILINGS IN THE SECRETARY OF STATE'S OFFICE:** (None)

**REMINDER OF HEARINGS SCHEDULED**

7-9-2002	Agriculture: Agricultural Services	Sampling for verification of transgenic seed use; 28 SDR 169.
7-9-2002	Agriculture: Animal Industry Board	Cervid chronic wasting disease program; 28 SDR 173.
7-11-2002	Game, Fish and Parks	Antelope, East River deer, West River prairie deer, early fall Canada goose hunting licenses and seasons, private shooting preserves; 28 SDR 181.
7-17-2002	Commerce and Regulation: Division of Insurance	Replacement of life insurance, HIPAA rules – employer plans, privacy of consumer financial information, and nondiscrimination in group market; 29 SDR 1.
7-18-2002	Transportation: Aeronautics Commission	Aviation structures and pilot and airport employee ID; 28 SDR 181.
7-18-2002	Environment and Natural Resources: Board of Minerals and Environment	Requirements of hazardous waste facilities, add to hazardous waste list, land disposal restrictions, managing specific hazardous wastes; 28 SDR 165.
7-24-2002	Social Services	Repeal rule that allowed the department to assess, collect, and distribute interest on unpaid support obligations; 29 SDR 1.
7-25-2002	Agriculture	Loan programs, VALU Guaranty, Young Farmer Rancher Seminar, Junior Livestock Loan Program,

		Agricultural Youth Institute, change terminology and references; 29 SDR 1.
7-31-2002	Commerce and Regulation: Plumbing Commission	License fees, exceptions to conformation with national code, water piping to livestock facilities, public bathrooms, wet venting and number of fixture units, location of dual check backflow preventers; 28 SDR 177.

### *Rules Review Committee Meetings*

The next meeting of the Interim Rules Review Committee will be held Tuesday, August 6 in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2002 interim: 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.

**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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