

REGISTER



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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.)

CORRECTION: Department of Environment and Natural Resources: Board of Minerals and Environment: (June 6, 2003) intends to adopt revisions to the federal regulations for the air pollution control program, including new source review reforms. This also includes the adoption of federal regulations for oil and natural gas production facilities, natural gas transmission and storage facilities, secondary aluminum production, publicly owned treatment works, solvent extraction for vegetable oil, paper and other web coating facilities, and municipal solid waste landfills. These revisions include new sections to both the minor and Title V permit programs. The general authority for these rules, as cited by the board, are SDCL 34A-1-6, 34A-1-12, 34A-1-18, and 34A-1-21.

A public hearing was held at the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol Avenue, Pierre, South Dakota, on July 17, 2003, at 10:45 a.m. CDT. Copies of the proposed rules may be obtained without charge at the DENR web page at <http://www.state.sd.us/denr/DFTA/WWFunding> or by writing the Department of Environment and Natural Resources, Division of Financial and Technical Assistance, 523 East Capitol, Pierre, South Dakota 57501.

Department of Revenue and Regulation: South Dakota Risk Pool Board: (July 22, 2003) intends to adopt EMERGENCY rules to implement the South Dakota Risk Pool. The rules will delineate when persons are eligible to

begin coverage, outline the appeals process, set forth the application and procedures for applying, specify the process of payment for agent commissions, and specify the process of payment for premiums. The general authority for these rules, as cited by the board, is SDCL 58-17-124.

NOTICE: The **South Dakota Lottery** is ending instant ticket game number 166 - Elvis. The last day that prizes will be paid for the game is January 31, 2004.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Administrative Rules: (None)

Executive Appointments:

Al Cornella, Rapid City, was appointed on July 22, 2003, to the **Board of Military Affairs**, effective immediately and shall continue at the pleasure of the Governor.

Todd Yeaton, Highmore, was appointed on July 24, 2003, to the **South Dakota State Railroad Board**, to replace Robert Johnson, effective immediately and shall continue until June 30, 2006.

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

8-4-2003	Administration	Increase fees for publication of legal notices; 30 SDR 2.
8-6-2003	Revenue and Regulation: Business Tax	Amend rules to define the terms "commencement of the project", "prescription," and "medical device" to the uniform language of the Streamlined Sales Tax Agreement; amend what classes are exempt from tax; and clarify rules concerning the credit when tax is paid to another state if that tax was subsequently refunded to the taxpayer; 30 SDR 1.
8-7-2003	Game, Fish and Parks	Amend rules that will modify the daily bag limits and possession limits, hunting season dates, and length of applicable hunting seasons for certain waterfowl; provide prohibitions and exclusions therefrom for certain activities at Hunter Quarry Water Access Area in Grant County; more clearly define boating activities which are prohibited within an area designated as a "no wake zone;" amend safety zones to "no wake zones" at Staum Dam, Lake Hanson, Lake Sharpe adjacent to Griffin Park, Lake Dimock, Lake Menno, Lake Tripp, Long Lake, Lake Alvin, Lake Lakota, Loss Lake, Lake Campbell, an area adjacent to and at the mouth of the Bad River near Fort Pierre, and at Lake Marindahl; allow horses for certain hunting activities at Battle Mountain/Friendshuh game production areas in Fall River and Custer counties; 30 SDR 9.
8-11-2003	Agriculture: State Brand Board	Increase the ownership inspection fee by ten cents; 29 SDR 187.
8-20-2003	Revenue and Regulation: Real Estate Commission	Clarify licensing procedures and continuing education provisions; increase the duties authorized under an auctioneer's license and establish the time that an auction listing requires; and update materials incorporated by reference; 30 SDR 5.
8-21-2003	Attorney General: Law Enforcement Officers Standards and Training Commission	Adopt a rule concerning compensation for a reserve officer; 29 SDR 175.

Rules Review Committee Meetings

The next meeting of the Interim Rules Review Committee will be held Tuesday, August 5, 2003, in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2003 interim: September 8, October 6, and November 19.

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 available at the LRC office and on the LRC web site.

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