REGISTER

South Dakota Legislative Research Council

Volume 36 *Monday, 8:00 a.m., November 9, 2009*

NOTICES OF PROPOSED RULES: (None)

NOTICE:

The **South Dakota Lottery** is ending instant ticket game number 333 - Holiday Cheer. The last day that prizes will be paid for the game is April 26, 2010. Also ending are games 343 - Bingo Night and 338 - Black Hills Gold Rush. The last day that prizes will be paid for these games is May 1, 2010.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Patricia F. Harding, Pierre, was reappointed on October 28, 2009, to the **State Capitol Complex Restoration and Beautification Commission**, effective immediately and shall continue until July 1, 2013.

Carla A. Sahr, Pierre, was reappointed on October 28, 2009, to the **State Capitol Complex Restoration and Beautification Commission**, effective immediately and shall continue until July 1, 2013.

Desiree Cyr, Brookings, was appointed on November 3, 2009, to the **Mental Health Planning and Coordination Advisory Council**, to replace Brandon Mills, effective November 2, 2009, and shall continue until June 30, 2010.

James Myers, Belle Fourche, was appointed on November 5, 2009, to the **State Board of Veterinary Medical Examiners**, to replace Dr. Steven R. Smith, effective November 5, 2009, and shall continue until June 30, 2012.

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

11-12-2009	Revenue and Regulation: Division of Insurance	Amend a rule to delete life insurance from the provisions of the rules relating to cancellation and earned/unearned premium requirements; 36 SDR 75.
11-17-2009	Agriculture: Division of Agricultural Services	Amend and adopt rules to allow the sale of raw milk with oversight by the SD Department of Agriculture; 36 SDR 62.
11-17-2009	Revenue and Regulation: Property and Special Taxes	Amend rules to update manuals to current version; update real estate abstract classes and remove NA-Z and NA-Z1 classes due to the

		repeal of NA-Z statutes and change to productivity valuation of agricultural land; adopt and repeal rules due to a change in law relating to the calculation of NA-Z properties and productivity valuation of agricultural land; and adopt rules that would make malt beverages more consistent with similar rules that affect all other alcoholic beverages; 36 SDR 75.
11-19-2009	Human Services: Division of Alcohol & Drug Abuse	Amend rules to reflect the current process used to track information and remove outdated information both in definition and throughout the administrative rule; clarify the time period required to complete the treatment plan depending on the level of care; correct an incorrect administrative rule citation in ARSD 46:05:15:05; for Level 1.0, allows a new exception of a weekly progress note if no counseling is provided and clarifies the maximum amount of counseling services to be provided in a one week period; 36 SDR 81.
11-24-2009	Revenue and Regulation: Commission on Gaming	Amend Racing rules to repeal the limit on number of trainers; change the date that education courses are required from January 1, 2010, to January 31, 2012; and repeal the time for claiming payments from pari-mutuel pool; amend Gaming rules to clarify that coins and currency can be inserted into slot machines; and adopt a rule to require patrons to actively be engaged in playing slot machines in order to be entitled to credits or payouts; 36 SDR 61.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held Wednesday, November 18, 2009, via the Digital Dakota Network (DDN) in Room 414, Fourth Floor, of the State Capitol. Other DDN sites will be: Aberdeen – NSU, 1200 S. Jay Street, Room Lib117; Huron – DOT, 901 Dakota St.; Mitchell – MTI, 1800 E. Spruce, Room TC155; Rapid City – SDSM&T, 501 E. St. Joseph St., Room CB109; and Sioux Falls – SFUC, 2205 Career Ave., Room 282S. The committee chair has set the following tentative meeting schedule for the 2009 interim: December 15.

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).