

FORM 6
See SDCL 1-26-4.1

Department of Labor and Regulation
Appraiser Certification Program
Notice of Public Hearing to Adopt Rules

A public hearing will be held in the Appraiser Certification Program Conference Room, 308 South Pierre Street, Pierre, South Dakota, on July 8, 2016 at 10:00 a.m., to consider the adoption and amendment of proposed rules numbered

§§20:14:05:05.05, 20:14:10:05.01, 20:14:11:01, and 20:14:11:01.01, inclusive

The effect of the rules will be to allow appraisers to submit appraisals for compliance review midway through the experience hours required to upgrade to a higher level of licensure or certification; add midway review upgrade fees; establish allegation of non-compliance as the first step for initiation of an investigation and prior to formal complaint charges; and replace the term anonymous complaint with allegation of non-compliance.

The reason for adopting the proposed rules is to provide a voluntary compliance review of appraisals midway through the experience hours so that deficiencies may be identified and remedied prior to applying for upgrade and to ensure that the appraiser and supervisory appraiser are not disciplined at the midway compliance review if deficiencies are identified; allow for collection of fees from licensees to cover the cost of the midway appraisal compliance review; to first ascertain through an investigation of allegations of non-compliance if there is sufficient evidence for a formal complaint to be entered against a licensee by the secretary; and remove the term "anonymous complaint" and replace with "allegation of non-compliance" and describe the criteria an allegation of non-compliance must meet in order for an investigation to be initiated.

Persons interested in presenting data, opinions, and arguments for or against the proposed rules may do so by appearing in person at the hearing or by sending them to the South Dakota Department of Labor and Regulation, Appraiser Certification Program, State Capitol, 308 South Pierre Street, Pierre, South Dakota 57501-3137. Material sent by mail must reach the Department of Labor and Regulation by July 18, 2016 to be considered.

(Note: If the entity promulgating the rules is not a multiperson decision-maker, the agency shall accept written comments for a period of ten days after the hearing.)

After the hearing, the Department will consider all written and oral comments it receives on the proposed rules. The Department may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Labor and Regulation at least 48 hours before the public hearing if you have special needs for which special arrangements must be made. The telephone number for making special arrangements is (605) 773-4608.

Copies of the proposed rules may be obtained without charge from the
South Dakota Department of Labor and Regulation
Appraiser Certification Program
308 South Pierre Street
Pierre, South Dakota 57501-3137

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