REGISTER

South Dakota Legislative Research Council

Volume 37 *Monday, 8:00 a.m., January 24, 2011*

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

Attorney General: Law Enforcement Officers Standards and Training Commission: (January 19, 2011) intends to amend rules to provide for a basic training course for certified law enforcement officers consisting of a 520 hour curriculum; amend the definition of police service dog to include patrol, drug detection or explosive detection; and establish standards and certification requirements for accelerant detection canine teams. The general authority for these rules, as cited by the commission, is SDCL 23-3-35 and 23-3-39.4, and 23-3-41.

A public hearing will be held at the George S. Mickelson Criminal Justice Center, 1302 E. SD Highway 14, Pierre, South Dakota, on February 17, 2011, at 9:00 a.m. CST. A copy of the proposed rules may be obtained without charge from and written comments sent to the Law Enforcement Officers Standards and Training Commission, 1302 E. Highway 14, Pierre, South Dakota 57501. Written comments must be received by February 11, 2011, to be considered. Persons who have special needs for which the office can make arrangements are asked to call (605) 773-3584 before the hearing.

Department of Environment and Natural Resources: Board of Minerals and Environment: (January 20, 2011) has filed rules to amend Air Pollution Control Program rules to comply with revisions to the federal regulations regarding the Greenhouse Gas Tailoring Rule; and revise a rule to allow certain businesses to start construction before the construction permit is issued once they have satisfied the proposed requirements. The general authority for these rules, as cited by the board, is SDCL 34A-1-6, 34A-1-18, and 34A-1-21.

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 February 17, 2011, at 1:00 p.m. CDT. A copy of the proposed rules may be obtained without charge from the department's website: http://denr.sd.gov/des/aq/airprogr.aspx or by contacting Lita Magedanz at (605) 773-3151. Written comments may be sent to Kyrik Rombough, Natural Resources Engineering Director, Department of Environment and Natural Resources, 523 E. Capitol, Pierre, South Dakota 57501. Material sent by mail must be received by the close of business on February 16, 2011, 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.

JOINT POWERS AGREEMENT ON FILE WITH THE LEGISLATIVE RESEARCH COUNCIL:

Parties:	**Attorney General, Rapid City Police Department, and Pennington County Sheriff**
Purpose:	Investigate and enforce state and federal laws relating to child pornography and solicitation
Financing:	State, County, and City
Organization:	Rapid City ICAC Task Force
Duration:	Jan. 12, 2011 – until terminated

Parties: **Department of Game, Fish and Parks and Multi-County Predator Control District**
Purpose: Provide state employee assistance with predator control operations
Financing: State and District
Organization: None created
Duration: Jan. 18, 2011 – Oct. 30, 2011

Parties: **Department of Game, Fish and Parks and Lake County Search and Rescue**
Purpose: Provide boat to promote public safety
Financing: State and County
Organization: None created
Duration: Jan. 18, 2011 – Dec.31, 2016

Parties: **Department of Game, Fish and Parks, City of Brookings, and Brookings Fire Department**
Purpose: Provide boat to promote public safety
Financing: State and City
Organization: None created
Duration: Jan. 18, 2011 – Dec. 31, 2016

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Orders:

The Governor has signed **Executive Reorganization Order 2011-01** dated January 12, 2011. This order reorganizes the executive branch of state government. The order was printed in its entirety in the Senate and House Journals on January 13, 2011.

The Governor has signed **Executive Order 2011-02** dated January 13, 2011. This order provides how his office and the Board of Pardons and Parole will process requests for a pardon, commutation, reprieve, and a remission of a fine or forfeiture under Article IV, Section 3 of the Constitution and SDCL § 24-14-1.

Legislative Appointments:

Representative Brian G. Gosch was appointed on January 18, 2011, to the **South Dakota Code Commission**, effective immediately and shall continue until January 1, 2013.

Senator Joni Cutler was appointed on January 18, 2011, to the **South Dakota Code Commission**, effective immediately and shall continue until January 1, 2013.

Representatives Peggy Gibson, **Roger W. Hunt**, and **R. Shawn Tornow** were appointed on January 18, 2011, to the **Interim Rules Review Committee**. These appointments will expire at noon on Tuesday, January 8, 2013.

Senators Angie Buhl, **Jean M. Hunhoff**, and **Mike Vehle** were appointed on January 18, 2011, to the **Interim Rules Review Committee**. These appointments will expire at noon on Tuesday, January 8, 2013.

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

2-17-2011	Attorney General: Law Enforcement Officers Standards and Training Commission	Amend rules to provide for a basic training course for certified law enforcement officers consisting of a 520 hour curriculum; amend the definition of police service dog to include patrol, drug detection or explosive detection; and establish standards and certification requirements for accelerant detection canine teams; 37 SDR 139.
2-17-2011	Environment and Natural Resources: Board of Minerals and Environment	Amend Air Pollution Control Program rules to comply with revisions to the federal regulations regarding the Greenhouse Gas Tailoring Rule; and revise a rule to allow certain businesses to start construction before the construction permit is issued once they have satisfied the proposed requirements; 37 SDR 139.

RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee will have an informal meeting near the close of the Eighty-sixth Legislative Session to set the tentative meeting schedule for the 2011 interim. Watch for a notice of this informal meeting on the LRC website and at the Capitol.

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***.

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