REGISTER

South Dakota Legislative Research Council

Volume 35 *Monday, 8:00 a.m., February 9, 2009*

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

Attorney General: (February 6, 2009) intends to amend rules to increase the fees associated with an electronic alcohol monitoring device from five dollars per day to six dollars per day and to increase the installation and deactivation fees and require payments of fees associated with the 24/7 program at or in advance of the time for the test or contemporaneously with the fee becoming due. The general authority for these rules, as cited by the commission, is SDCL 1-11-24.

A public hearing will be held at the George S. Mickelson Criminal Justice Center, 1302 E. SD Highway 14, Pierre, South Dakota, on March 6, 2009, at 2:00 p.m. CST. A copy of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Attorney General's Office, George S. Mickelson Criminal Justice Center, 1302 E. Highway 14, Pierre, South Dakota 57501. Written comments must be received by March 2, 2009, to be considered. Persons who have special needs for which the office can make arrangements are asked to call (605) 773-3215 before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Phyllis Heineman, Sioux Falls, was appointed on January 29, 2009, to the **South Dakota Board of Education**, to replace Jan Nicolay, effective January 28, 2009, and shall continue until December 31, 2012.

James C. Roby, Watertown, was reappointed on January 29, 2009, to the **South Dakota Building Authority**, effective immediately and shall continue until January 21, 2013.

Delaine Bowe, Hot Springs, was appointed on January 30, 2009, to the **South Dakota Interagency Coordinating Council**, to replace Shauna Klipfel, effective January 29, 2009, and shall continue until December 31, 2011.

Mona Drolc, Rapid City, was appointed on January 30, 2009, to the **South Dakota Interagency Coordinating Council**, to replace DiVina Baker, effective January 29, 2009, and shall continue until December 31, 2011.

Michelle Guelde, Pierre, was appointed on January 30, 2009, to the **South Dakota Interagency Coordinating Council**, to replace Erin Horstmeyer, effective January 30, 2009, and shall continue until December 31, 2011.

Elaine Roberts, Sioux Falls, was reappointed on January 30, 2009, to the **South Dakota Interagency Coordinating Council**, effective January 29, 2009, and shall continue until December 31, 2011.

Tom Oster, Pierre, was appointed on February 3, 2009, to the **Education Commission of the States**, to replace Rick Melmer, effective February 3, 2009.

Legislative Appointments:

Senators Jim Hundstad, Jean M. Hunhoff, and **Mike Vehle** were appointed on January 23, 2009, to the **Interim Rules Review Committee**. These appointments will expire at noon on Tuesday, January 11, 2011.

Senator Jason Gant was reappointed on January 29, 2009, to the **South Dakota Risk Pool Advisory Panel**, effective immediately and shall continue until January 1, 2011.

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

2-26-2009	Transportation	Amend a speed zone in Brown County on US Highway 12 in the City of Aberdeen to reduce the speed limits on a segment of highway near the east part of the city; amend a speed zone in Gregory County on US Highway 18 in the City of Gregory to reduce the speed limits on a segment of highway near the west edge of the city; and adopt a rule to prohibit parking along both sides of State Highway 19 in Clay County along the shoulder of the road north of the Missouri River bridge; 35 SDR 189.
3-6-2009	Attorney General	Amend rules to increase the fees associated with an electronic alcohol monitoring device from five dollars per day to six dollars per day and to increase the installation and deactivation fees and require payments of fees associated with the 24/7 program at or in advance of the time for the test or contemporaneously with the fee becoming due; 35 SDR 193.
3-11-2009	Environment and Natural Resources: Water Management Board	Amend Surface Water Quality rules to update references; correct typographical errors; clarify language; update toxic pollutant criteria; add and modify definitions; modify the dissolved oxygen and pH criteria; add E. coli criteria; set site specific criteria for the Little White River and White River; add beneficial uses to low flow rates for low quality fishery waters; review, remove, and reassign designated beneficial uses of certain lakes; and review and reassign designated beneficial uses of certain

		streams and correct typographical errors; 35 SDR 189.

RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee will have an informal meeting near the close of the Eighty-fourth Legislative Session to set the tentative meeting schedule for the 2009 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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