REGISTER

South Dakota Legislative Research Council

Volume 34 *Monday, 8:00 a.m., February 11, 2008*

NOTICES OF PROPOSED RULES: (None)

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointment:

Lori Martinec, Pierre, was appointed on February 5, 2008, to the **South Dakota Interagency Coordinating Council**, to replace Donna Oliver, effective February 5, 2008.

Patricia Simmons, Sioux Falls, was reappointed on February 5, 2008, to the **South Dakota Board of Education**, effective immediately and shall continue until December 31, 2011.

Kelly Glodt, Pierre, was appointed on February 6, 2008, to the **South Dakota Professional Administrators Practices and Standards Commission**, to replace Robert Mayer, effective February 5, 2008, and shall continue until December 31, 2009.

Executive Order:

The Governor has signed **Executive Order 2008-02** dated February 1, 2008, which creates the "Governor's Kids Cabinet" to coordinate the delivery of services to children. The members will be appointed by the Governor and will consist of secretaries and staff from the Departments of Education, Health, Social Services, Human Services, Corrections, and other individuals. Among other things, the Kids Cabinet will identify issues, develop plans, develop methods to share information and recommend policies to the Governor for the delivery of services to children and their parents.

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

3-6-2008	Game, Fish and Parks	Amend Parks and Public Lands rules to allow limited recreational horse use on Title VI Game Production Areas (GPA) and lakeside use areas (LUA) along the Missouri River. However, in areas where wildlife habitat has been developed, cultural resources or endangered species concerns exist, or where recreational horse use is determined to conflict with primary GPA or LUA purposes (wildlife

		production, wildlife habitat, public hunting, or other public recreation), recreational horse use may be restricted by posting. The amendments also would allow horses to be used for the hunting and retrieval of deer and elk on the Battle Mountain/Friendshuh Game Production Area; amend Public Water Zoning rules to modify the boundaries of the public swimming zone in American Creek Bay (Brule County); modify the boundaries of three public swimming zones (Stokes Thomas City Park, Memorial Park, and Jackson Park) on Lake Kampeska and change the designation of one of them (Jackson Park) from a public swimming zone to a no wake zone; eliminate two no wake zones on Pactola Reservoir (Pennington County), commonly referred to as Boarding House Gulch and Musekamp Draw; create three no wake zones on McCook Lake (Union County); and create two no wake zones on Lewis and Clark Lake (Yankton County); amend Refuges to move the western boundary of the Sutton State Waterfowl Refuge from the water's edge to the center of the reservoir; amend Persons with Disabilities to allow the department secretary to issue special crossbow permits to persons who are "temporarily" unable to use a bow and arrow due to the loss of use of one or both arms or who is confined to a wheelchair; amend Endangered and Threatened Species to exempt persons who possess legally acquired or legally taken raptors from the requirement to obtain a state endangered species permit; 34 SDR 205.
3-12-2008	Environment and Natural Resources: Water Management Board	Amend rules regarding Underground Injection Control-Class III Wells to update the requirements an applicant must meet to obtain a state permit. The updates include more comprehensive requirements for the permit application, well construction, well mechanical integrity testing, plugging of wells and drill holes, baseline water equality sampling, remedial action, ground water restoration and postclosure activities; 34 SDR 199.
4-2-2008	Environment and Natural Resources: Operator Certification Program	Modify the continuing education requirements for a water/wastewater operator to renew his operating certificate(s) and to clarify which operators are allowed to run groundwater

		systems serving less than 500 people that do not treat the water; 34 SDR 205.

RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee will have an informal meeting near the close of the Eighty-third Legislative Session to set the tentative meeting schedule for the 2008 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 at the LRC office and on the Legislative Web site.

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 34 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).