

REGISTER

South Dakota Legislative Research Council



Volume 36

Monday, 8:00 a.m., August 31, 2009

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

Public Utilities Commission: One-Call

Notification Board: (August 28, 2009) intends to amend rules to identify and classify those facilities that have the potential to cause significant environmental or safety hazards such as those transporting petroleum products and hazardous materials separate from all other underground facilities; clarify the organizational structure of the Board; require all underground facilities to be maintained in a database separate from all other facilities; allow the excavator to request notification when the facility operator identifies, prior to field dispatch, that they do not have any underground facilities in the excavation area; require the Center, at the close of the locate request, to notify the excavator making a locate request when there may be high profile facilities in the area where they have identified an intent to excavate; and provide a detailed process for identifying and excavating in proximity to a high profile underground facility and reducing the possibility of damage to this type of facility. The general authority for these rules, as cited by the board, is SDCL 49-7A-4.

A public hearing will be held in Room 413, 4th Floor, State Capitol, Pierre, South Dakota, on September 30, 2009, at 10:00 a.m. Copies of the proposed rules may be obtained without charge from South Dakota One-Call Notification Board, 5536 Doubletree Road, Rapid City, South Dakota 57702 or at their Web site at <http://onecall.sd.gov/Law/RulemakingDockets/2009/proposedrules.pdf>. Written comments may be sent to the One-Call Notification Board, c/o

South Dakota Public Utilities Commission, 500 East Capitol, Pierre, South Dakota 57501-5070. Material sent by mail must be received by the Public Utilities Commission prior to the hearing to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the board can make arrangements are asked to call (605) 339-0529 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Jim Doolittle, Belle Fourche, was reappointed on August 21, 2009, to the **Board of Directors of the Value Added Finance Authority**, effective immediately and shall continue until June 30, 2013.

Bill Hansen, Centerville, was reappointed on August 21, 2009, to the **Board of Directors of the Value Added Finance Authority**, effective immediately and shall continue until June 30, 2013.

Casey L. Derflinger, Hot Springs, was appointed on August 25, 2009, to the **South Dakota Economic Development Finance Authority Board of Directors**, to replace Mark Mickelson, effective August 25, 2009, and shall continue until June 30, 2010.

Michael J. Keller, Vermillion, was appointed on August 25, 2009, to the **South Dakota Economic Development Finance Authority Board of Directors**, effective August 25, 2009, and shall continue until June 30, 2013.

Jody Sperlich, Rapid City, was appointed on August 25, 2009, to the **South Dakota Economic Development Finance Authority Board of Directors**, to replace George Cook, effective August 25, 2009, and shall continue until June 30, 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

9-30-2009	Public Utilities Commission: One-Call Notification Board	Amend rules to identify and classify those facilities that have the potential to cause significant environmental or safety hazards such as those transporting petroleum products and hazardous materials separate from all other underground facilities; clarify the organizational structure of the Board; require all underground facilities to be maintained in a database separate from all other facilities; allow the excavator to request notification when the facility operator identifies, prior to field dispatch, that they do not have any underground facilities in the excavation area; require the Center, at the close of the locate request, to notify the excavator making a locate request when there may be high profile facilities in the area where they have identified an intent to excavate; and provide a detailed process for identifying and excavating in proximity to a high profile underground facility and reducing the possibility of damage to this type of facility; 36 SDR 37.
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RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held Tuesday, September 1, 2009, in Room 413, Fourth Floor, of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2009 interim: October 6, November 18, and 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>.

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