REGISTER

South Dakota Legislative Research Council

Volume 35 *Tuesday, 8:00 a.m., January 20, 2009*

NOTICES OF PROPOSED RULES: (None)

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

DEPARTMENT OF AGRICULTURE: AGRICULTURAL SERVICES: 12:05:01:01; 12:05:06:01, 12:05:06:02, 12:05:06:06; 12:05:14:01 to 12:05:14:03, inclusive; 12:11:01:01, 12:11:01:03, 12:11:01:05; and 12:17:01:01.

History-Notice: 35 SDR 136, Nov. 17, 2008
Hearing: December 17, 2008
Filed: January 12, 2009
Effective: February 2, 2009

DEPARTMENT OF AGRICULTURE: AGRICULTURAL SERVICES: 12:44:06:01.

History-Notice: 35 SDR 146, Nov. 24, 2008
Hearing: December 18, 2008
Filed: January 12, 2009
Effective: February 2, 2009

DEPARTMENT OF HEALTH: BOARD OF PHARMACY: 20:51:30:01 to 20:51:30:18, inclusive.

History-Notice: 35 SDR 127, Nov. 10, 2008
Hearing: December 12, 2008
Filed: January 12, 2009
Effective: February 2, 2009

DEPARTMENT OF HEALTH: HEALTH SYSTEMS DEVELOPMENT AND REGULATION: 44:63:06:01 and 44:63:06:02.

History-Notice: 35 SDR 136, Nov. 17, 2008
Hearing: December 15, 2008
Filed: January 12, 2009
Effective: February 2, 2009

DEPARTMENT OF HEALTH: DATA STATISTICS: 44:66:01:01; 44:66:02:01, 44:66:02:02, 44:66:02:03, 44:66:02:03.01, 44:66:02:04; 44:66:03:01 and 44:66:03:02.

History-Notice: 35 SDR 145, Nov. 24, 2008
Hearing: December 15, 2008
Filed: January 12, 2009
Effective: February 2, 2009

DEPARTMENT OF HEALTH: DATA STATISTICS AND VITAL RECORDS: 44:09:05:10 and 44:09:06:02.

History-Notice: 35 SDR 145, Nov. 24, 2008
Hearing: December 17, 2008
Filed: January 12, 2009
Effective: February 2, 2009

DEPARTMENT OF REVENUE AND REGULATION: DIVISION OF INSURANCE: 20:06:13:02, 20:06:13:17, 20:06:13:17.01, 20:06:13:17.02, 20:06:13:17.03, 20:06:13:17.04, 20:06:13:17.05, 20:06:13:17.06, 20:06:13:17.07, 20:06:13:17.08, 20:06:13:17.09, 20:06:13:17.10, 20:06:13:17.11, 20:06:13:17.12, 20:06:13:17.13, 20:06:13:17.14. 20:06:13:17.15, 20:06:13:22.07, 20:06:13:19, 20:06:13:56, 20:06:13:86, 20:06:13:86.01, 20:06:13:86.02, 20:06:13:80.03, 20:06:13:86.04, 20:06:13:87, 20:06:13:88, 20:06:13:89, 20:06:13:90, 20:06:13:91, 20:06:13:92, and 20:06:13 Appendix D.

History-Notice: 35 SDR 93, October 20, 2008
Hearing: November 6, 2008
Filed: January 12, 2009
Effective: February 2, 2009

DEPARTMENT OF REVENUE AND REGULATION: DIVISION OF INSURANCE: 20:06:48:07.

History-Notice: 35 SDR 145, Nov. 24, 2008
Hearing: December 18, 2008
Filed: January 12, 2009
Effective: February 2, 2009

BUREAU OF PERSONNEL: CAREER SERVICE COMMISSION: 55:01:13:04.02.

History-Notice: 35 SDR 117, Nov. 3, 2008
Hearing: December 3, 2008
Filed: January 13, 2009
Effective: February 2, 2009

BUREAU OF PERSONNEL: 55:05:02:03.

History-Notice: 35 SDR 117, Nov. 3, 2008
Hearing: December 5, 2008
Filed: January 13, 2009
Effective: February 2, 2009

DEPARTMENT OF GAME, FISH AND PARKS: 41:03:03:06; 41:03:04:05.01, 41:03:04:07.01; 41:06:13:02, 41:06:13:04; 41:06:15:02; 41:06:16:07; 41:07:01:11, 41:07:01:12; 41:07:03:01, 41:07:03:03; 41:07:06:03; 41:09:04:02.01, 41:09:04:02.03, 41:09:04:02.04, 41:09:04:02.05, 41:09:04:05, 41:09:04:06, 41:09:04:08, 41:09:04:10, 41:09:04:11, 41:09:04:15; 41:09:07:02, 41:09:07:03.01, 41:09:07:03.02, 41:09:07:06.01, 41:09:07:06.03, 41:09:07:06.04, 41:09:07:07; 41:09:08:03.02, 41:09:08:03.04, 41:09:08:03.05.

History-Notice: 35 SDR 93, October 20, 2008
35 SDR 135, Nov. 17, 2008
Hearing: December 4, 2008
Filed: January 13, 2009
Effective: February 2, 2009

DEPARTMENT OF REVENUE AND REGULATION: COMMISSION ON GAMING: 20:04:17:05; 20:04:22:61; 20:04:23:01. 20:04:23:02, 20:04:23:21.01, 20:04:23:21.02; 20:04:29:14; 20:18:01:01; 20:18:08:02.01; 20:18:12.01:12; 20:18:15:35; 20:18:16:45.01, 20:18:16:46.01, 20:18:16:46.02; 20:18:18:07, 20:18:18:24.01, 20:18:18:24.02; 20:18:20:10.01; 20:18:22:11; 20:18:29:02, 20:18:29:03, 20:18:29:06, 20:18:29:07, 20:18:29:08, 20:18:29:12, 20:18:29:14.

History-Notice: 35 SDR 105, Oct. 27, 2008
Hearing: November 24, 2008
Filed: January 13, 2009
Effective: February 2, 2009

DEPARTMENT OF SOCIAL SERVICES: ECONOMIC ASSISTANCE: 67:13:01:02, 67:13:01:05, and 67:13:01:06.

History-Notice: 35 SDR 127, Nov. 10, 2008
Hearing: November 24, 2008
Filed: January 15, 2009
Effective: February 4, 2009

Executive Appointments:

David Fischbach, Faith, was reappointed on January 8, 2009, to the **State Conservation Commission**, effective immediately and shall continue until January 1, 2012.

Jerrid Goebel, Sturgis, was appointed on January 8, 2009, to the **Board of Chiropractic Examiners**, to replace Dr. Robin R. Lecy, effective January 1, 2009, and shall continue until January 1, 2012.

Joe Harrison, Rapid City, was reappointed on January 8, 2009, to the **South Dakota Professional Teachers Practices and Standards Commission**, effective immediately and shall continue until December 31, 2011.

Timothy Kessler, Aberdeen, was reappointed on January 8, 2009, to the **Game, Fish and Parks Commission**, effective immediately and

shall continue until January 10, 2013.

Eric D. Kline, Aberdeen, was appointed on January 8, 2009, to the **South Dakota Professional Administrators Practices and Standards Commission**, to replace Mary Peterson, effective January 5, 2009, and shall continue until December 31, 2011.

James Lawler, Deadwood, was reappointed on January 8, 2009, to the **Board of Chiropractic Examiners**, effective immediately and shall continue until January 1, 2012.

Virginia Nelson, Rapid City, was reappointed on January 8, 2009, to the **South Dakota Lottery Commission**, effective immediately and shall continue until January 1, 2012.

Drake T. Olson, Sioux Falls, was appointed on January 8, 2009, to the **Board of Technical Professions**, to replace Tom Geraets, effective December 30, 2008, and shall continue until April 14, 2010.

Jeffrey G. Olson, Rapid City, was reappointed on January 8, 2009, to the **Game, Fish and Parks Commission**, effective immediately and shall continue until January 10, 2013.

Duane Schmautz, Pierre, was reappointed on January 8, 2009, to the **South Dakota Lottery Commission**, effective immediately and shall continue until January 1, 2012.

Tanner Starr, Watertown, was appointed on January 8, 2009, to the **Council of Juvenile Services**, to replace Richard Erickson, effective January 5, 2009, and shall continue until June 30, 2009.

Alan Vedvei, Lake Preston, was appointed on January 8, 2009, to the **State Conservation Commission**, to replace Robert R. Gab, effective January 1, 2009, and shall continue until January 1, 2012.

Bart Blum, Reliance, was reappointed on January 9, 2009, to the **State Brand Board**, effective immediately and shall continue until January 2, 2012.

Curt Mortenson, Ft. Pierre, was reappointed on January 9, 2009, to the **State Brand Board**, effective immediately and shall continue until January 2, 2012.

Legislative Appointments:

Cindy Shultz, Redfield, was appointed on January 13, 2009, to the **State Board of Elections**, to replace Paula Jones, effective February 1, 2009, and shall continue until January 31, 2013.

Representative Thomas J. Deadrick was reappointed on January 14, 2009, to the **South Dakota Code Commission**, effective immediately and shall continue until January 1, 2011.

Senator Nancy Turbak Berry was reappointed on January 14, 2009, to the **South Dakota Code Commission**, 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

1-21-2009	Game, Fish and Parks	Amend a rule to increase boat license fees as follows: (1) for non-motorized boats over 12 feet and boats propelled solely by electric trolling motors – 1 year from $10 to $12.50, and 3 years from $20 to $25; (2) motorboats under 19 feet – 1 year from $15 to $20, and 3 years from $40 to $55; and (3) motorboats 19 feet and over – 1 year from $30 to $40, and 3 years from $80 to $110; 35 SDR 177.
1-30-2009	Corrections: Parole Services Division	Amend a rule to reflect an increase in assessed supervision fee amounts charged to persons on parole supervision in the State of South Dakota; 35 SDR 179.

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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