

# REGISTER

*South Dakota Legislative Research Council*



*Volume 36*

*Tuesday, 8:00 a.m., September 8, 2009*

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

***Department of Public Safety: South Dakota 911 Coordination Board:*** (September 3, 2009) intends to adopt rules to establish operational, technical, and procedural standards for public safety answering points (PSAPs), to establish allowable costs associated with the operation of a PSAP, and to establish financial reporting criteria for PSAPs. The general authority for these rules, as cited by the department, is SDCL 34-45-18.2.

A public hearing will be held in Room 412 of the Capitol Building, 500 E. Capitol Avenue, Pierre, South Dakota, on September 30, 2009, at 1:00 p.m. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Department of Public Safety, 118 West Capitol, Pierre, South Dakota 57501. The proposed rules are also available online at <http://www.oem.sd.gov/Preparedness/911.htm>. Material sent by mail must reach the Department of Public Safety by October 10, 2009, 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) 773-2691 at least 48 hours before the hearing.

## **FILINGS IN THE SECRETARY OF STATE'S OFFICE:**

**BUREAU OF PERSONNEL:** 55:05:01:01; 55:05:02:04; and 55:05:05:01 to 55:05:05:03, inclusive.

History-Notice: 36 SDR 7, July 20, 2009  
Hearing: August 11, 2009  
Filed: September 1, 2009  
Effective: September 21, 2009

## **DEPARTMENT OF HEALTH: ADMINISTRATION:** 44:09:03:04.

History-Notice: 36 SDR 7, July 20, 2009  
Hearing: August 14, 2009  
Filed: September 1, 2009  
Effective: September 21, 2009

**DEPARTMENT OF GAME, FISH AND PARKS:** 41:04:02:63.01; 41:06:02:03; 41:06:21:01, 41:06:21:02; 41:06:23:02; 41:06:25:01, 41:06:25:02, 41:06:25:04; 41:06:36:02; and 41:06:50:02.

History-Notice: 35 SDR 303, June 15, 2009  
Hearing: July 1, 2009  
Filed: September 3, 2009  
Effective: September 23, 2009

**DEPARTMENT OF GAME, FISH AND PARKS:** 41:03:01:16.02; 41:03:03:03.01; 41:06:16:02, 41:06:16:03, 41:06:16:05, 41:06:16:07; 41:06:52:01, 41:06:52:03, 41:06:52:05, 41:06:52:07; 41:09:01:03.01, 41:09:01:05, and 41:09:01:06.

History-Notice: 36 SDR 7, July 20, 2009  
Hearing: August 6, 2009

Filed: September 3, 2009  
Effective: September 23, 2009

### **Executive Appointments:**

**Jody Bender**, Rapid City, was appointed on September 1, 2009, to the **South Dakota Development Corporation**, to replace Sandy Weeldreyer, effective August 25, 2009, and shall continue until May 17, 2012.

**Paul Bisson**, Sturgis, was appointed on September 1, 2009, to the **South Dakota Development Corporation**, to replace Ken Karels, effective August 25, 2009, and shall continue until May 17, 2011.

**James Borszich**, Huron, was reappointed on September 1, 2009, to the **South Dakota Development Corporation**, effective immediately and shall continue until May 17, 2012.

**William F. Earley**, Sioux Falls, was reappointed on September 1, 2009, to the **South Dakota Development Corporation**, effective immediately and shall continue until May 17, 2012.

**Jerad Higman**, Vermillion, was appointed on September 1, 2009, to the **South Dakota Development Corporation**, to replace Jeffrey G. Johnson, effective August 25, 2009, and shall continue until May 17, 2011.

**Matt Judson**, Pierre, was appointed on September 1, 2009, to the **South Dakota Development Corporation**, to replace Allen Lewis, effective August 25, 2009, and shall continue until May 17, 2011.

**Robert H. Miller**, Pierre, was reappointed on September 1, 2009, to the **South Dakota Development Corporation**, effective immediately and shall continue until May 17, 2012.

**David R. Munson**, Sioux Falls, was reappointed on September 1, 2009, to the **South Dakota Development Corporation**, effective immediately and shall continue until May 17, 2012.

**Fred W. Romkema**, Spearfish, was reappointed on September 1, 2009, to the **South Dakota Development Corporation**, effective immediately and shall continue until May 17, 2012.

**Terry Sabers**, Mitchell, was appointed on September 1, 2009, to the **South Dakota Development Corporation**, to replace Michael Crew, effective August 25, 2009, and shall continue until May 17, 2010.

**Duane E. Sander**, Brookings, was appointed on September 1, 2009, to the **South Dakota Development Corporation**, to replace Everett Hoyt, effective August 25, 2009, and shall continue until May 17, 2012.

**John Schramm**, Sioux Falls, was appointed on September 1, 2009, to the **South Dakota Development Corporation**, to replace Joel Rosenthal, effective August 25, 2009, and shall continue until May 17, 2012.

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.
9-30-2009	Public Safety: SD 911 Coordination Board	Adopt rules to establish operational, technical, and procedural standards for public safety answering points (PSAPs), to establish allowable costs associated with the operation of a PSAP, and to establish financial reporting criteria for PSAPs; 36 SDR 39.

**RULES REVIEW COMMITTEE MEETINGS**

The next meeting of the Interim Rules Review Committee will be held Tuesday, September 29, 2009, in Room 412, Fourth Floor, of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2009 interim: 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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