REGISTER

South Dakota Legislative Research Council

Volume 39 *Monday, 8:00 a.m., February 4, 2013*

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

Department of Transportation: (January 30, 2013) is proposing to amend Speed Zone rules in Spink County by repealing an existing 55 mph limited speed zone located on SD Highway 37 near the intersection of SD Highway 37 and Spink County Highway 12 and extend an existing 65 mph speed zone an additional 0.2 mile north of the intersection of U.S. Highway 281 and SD Highway 20. The general authority for these rules, as cited by the department, is SDCL §§ 32-25-7 and 32-25-7.1.

A public hearing will be held in the Commission Room of the Becker Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota, on February 28, 2013, at 9:05 a.m. CDST. Copies of the proposed rules may be obtained without charge from and written comments sent to the Secretary of Transportation, Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota 57501-2586. Material sent by mail must reach the department by February 27, 2013, 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) 773-3540 or 1-800-877-1113 (Telecommunication Device for the Deaf).

Department of Game, Fish and Parks: (January 31, 2013) intends to amend Public Water Zoning rules to repeal the existing "no boating zones" designated on Helgeson Slough in Clark County and on portions of Rock Creek Game Production Area and East Stink Lake in Marshall County; create a new "public swimming zone" fronting on a portion of shoreline of Platte Creek Recreation Area on Lake Francis Case (Charles Mix County); and repeal two existing "public swimming zones" designated on Clear Lake in Marshall County; amend a Refuges rule to remove the North Shore State Waterfowl Refuge from the list of Missouri River refuges; and amend a West River Prairie Deer Season (Special Buck Licenses) rule and an East River Deer Hunting Season (Special Buck Licenses) rule to limit an individual to possessing either an East River or West River special buck license in any given year and change the special buck license allocations. The general authority for these rules, as cited by the department, is SDCL §§ 32-3A-1, 41-2-18, and 41-6-21.

A public hearing will be held at the AmericInn (Scotty Phillips Room), 312 Island Drive, Ft. Pierre, South Dakota, on March 7, 2013, at 2:00 p.m. CST. Copies of the proposed rules may be obtained from and written comments sent to Jeffrey R. Vonk, Secretary, Foss Building, 523 East Capitol, Pierre, South Dakota 57501. Written comments must be received by and in the office of the Secretary of the Department of Game, Fish and Parks on or before 12:00 p.m. three (3) days prior to the date of the hearing to be included within the record of the public hearing and to be considered by the Commission. Comments may also be sent by email to Wildinfo@state.sd.us. All written and email comments must include the commenter's name and address. 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) 773-3387 before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Kevin L. Bjordahl, Milbank, was appointed on January 31, 2013, to the **State Board of Medical and Osteopathic Examiners**, to replace Robert Ferrell, effective immediately and shall continue until October 30, 2015.

David K. Erickson, Dell Rapids, was reappointed on January 31, 2013, to the **State Board of Medical and Osteopathic Examiners**, effective immediately and shall continue until October 30, 2015.

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

2-28-2013	Department of Transportation	Amend Speed Zone rules in Spink County by repealing an existing 55 mph limited speed zone located on SD Highway 37 near the intersection of SD Highway 37 and Spink County Highway 12 and extend an existing 65 mph speed zone an additional 0.2 mile north of the intersection of U.S. Highway 281 and SD Highway 20; 39 SDR 135.
3-7-2013	Game, Fish and Parks	Amend Public Water Zoning rules to repeal the existing "no boating zones" designated on Helgeson Slough in Clark County and on portions of Rock Creek Game Production Area and East Stink Lake in Marshall County; create a new "public swimming zone" fronting on a portion of shoreline of Platte Creek Recreation Area on Lake Francis Case (Charles Mix County); and repeal two existing "public swimming zones" designated on Clear Lake in Marshall County; amend a Refuges rule to remove the North Shore State Waterfowl Refuge from the list of Missouri River refuges; and amend a West River Prairie Deer Season (Special Buck Licenses) rule and an East River Deer Hunting Season (Special Buck Licenses) rule to limit an individual to possessing either an East River or West River special buck license in any given year and change the special buck license allocations; 39 SDR 135.

RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee will have an informal meeting near the close of the Eighty-eighth Legislative Session to set the tentative meeting schedule for the 2013 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***.

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 39 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).