

REGISTER



South Dakota Legislative Research Council

Volume 38

Monday, 8:00 a.m., February 6, 2012

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

Department of Transportation: (January 30, 2012) is proposing to amend a speed zone in Turner County on U.S. Highway 18 near Davis. The general authority for this rule, as cited by the department, is SDCL § 32-25-7.

A public hearing will be held in the Commission Room of the Becker Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota, on February 23, 2012, at 9:05 a.m. CST. Copies of the proposed rule 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 22, 2012, 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: (February 2, 2012) intends to amend Public Water Zoning rules to create a "no wake zone" on Richmond Lake (Brown County), Mina Lake (Edmunds County), and Lake Mitchell (Davison County) during certain periods of high water, amend the boundaries of the existing "no wake zone" on the west end of Lake Mitchell (Davison County), create an "electric motors zone" on the waters of Rollings Game Production Area (Lincoln County), amend an existing "no motors zone" to an "electric motors zone" on the waters of Family Park (Minnehaha

County), and amend an existing "public swimming zone" to a "no wake zone" on the waters of Lewis and Clark Lake (Yankton County) adjacent to Canary Beach; amend Motorboats and Watercraft rules to clarify that Coast Guard approved fire extinguishers carried on boats must be in working order, and revise the provisions for emergency signals on law enforcement and emergency rescue boats; amend West River Prairie Deer Season and Hunting License Fees rules to increase the number of both resident and nonresident "special any deer" licenses from 500 to 600 and increase the license fee for nonresident licenses from \$500 to \$600; and amend a Snagging of Paddlefish rule to clarify that the length restrictions in rule only apply to paddlefish snagged below Gavin's Point Dam. The general authority for these rules, as cited by the department, is SDCL §§ 32-3A-1, 41-2-18, 41-6-10, 41-6-18.4, 41-6-19.6, 41-6-21, 41-17-1.1, and 42-8-1.1.

A public hearing will be held at the Holiday Inn Express, 110 East Stanley Road, Ft. Pierre, South Dakota, on March 1, 2012, 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 Avenue, 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:

Mary L. Dunn, Eden, was reappointed on January 26, 2012, to the **Governor's Commission on Fort Sisseton**, effective immediately and shall continue until November 24, 2015.

Judy Gulleason, Britton, was reappointed on January 26, 2012, to the **Governor's Commission on Fort Sisseton**, effective immediately and shall continue until November 24, 2015.

Glen Johnson, Sisseton, was reappointed on January 26, 2012, to the **Governor's Commission on Fort Sisseton**, effective immediately and shall continue until November 24, 2015.

Paul Symens, Amherst, was reappointed on January 26, 2012, to the **Governor's Commission on Fort Sisseton**, effective immediately and shall continue until November 24, 2015.

Duane K. Sather, Sioux Falls, was appointed on January 27, 2012, to the **Game, Fish and Parks Commission**, to replace Jim McMahon, effective immediately and shall continue until January 10, 2016.

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

2-15-2012	Health: Board of Massage Therapy	Amend rules to eliminate duplication in the complaint process and identify the schools acceptable for licensing applicants; 38 SDR 127.
2-23-2012	Transportation	Amend a speed zone in Turner County on U.S. Highway 18 near Davis; 38 SDR 131.
3-1-2012	Game, Fish and Parks	Amend Public Water Zoning rules to create a "no wake zone" on Richmond Lake (Brown County), Mina Lake (Edmunds County), and Lake Mitchell (Davison County) during certain periods of high water, amend the boundaries of the existing "no wake zone" on the west end of Lake Mitchell (Davison County), create an "electric motors zone" on the waters of Rollings Game Production Area (Lincoln County), amend an existing "no motors zone" to an "electric motors zone" on the waters of Family Park (Minnehaha County), and amend

		<p>an existing "public swimming zone" to a "no wake zone" on the waters of Lewis and Clark Lake (Yankton County) adjacent to Canary Beach; amend Motorboats and Watercraft rules to clarify that Coast Guard approved fire extinguishers carried on boats must be in working order, and revise the provisions for emergency signals on law enforcement and emergency rescue boats; amend West River Prairie Deer Season and Hunting License Fees rules to increase the number of both resident and nonresident "special any deer" licenses from 500 to 600 and increase the license fee for nonresident licenses from \$500 to \$600; and amend a Snagging of Paddlefish rule to clarify that the length restrictions in rule only apply to paddlefish snagged below Gavin's Point Dam. 38 SDR 131.</p>
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RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee will have an informal meeting near the close of the Eighty-seventh Legislative Session to set the tentative meeting schedule for the 2012 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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