

# REGISTER



*South Dakota Legislative Research Council*

*Volume 31*

*Monday, 8:00 a.m., February 7, 2005*

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

***Department of Game, Fish and Parks:***

(January 31, 2005) has filed rules to repeal the waterfowl refuges at Lake Geddes State Waterfowl Refuge in Charles Mix County and Pudwill Dam State Waterfowl Refuge; modify the refuge at the LaFramboise Island State Game Refuge in Stanley County; and modify the legal description of the Bullhead State Waterfowl Refuge in Roberts County; change the names of the resident special "buck" license and nonresident special "buck" license to a resident special "any deer" license and nonresident special "any deer" license, respectively wherever the same may appear in the 3 applicable chapters, and permits the person with one of the "special" deer licenses to harvest "any" type of deer and not just a "buck" deer. The general authority for these rules, as cited by the department, is SDCL 41-2-18, 41-6-10, 41-6-18.4, 41-6-19.6, 41-6-21, and 41-17-1.-1.

A public hearing will be held in the Governor's Inn in Pierre, South Dakota, on March 3, 2005, at 2:00 p.m. (CST). Copies of the proposed rules may be obtained from and written comments sent to John L. Cooper, Secretary, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501. Written comments must be received prior to the hearing date. Comments may also be sent by e-mail to [chuck.schlueter@state.sd.us](mailto:chuck.schlueter@state.sd.us). E-mail comments must include the commenter's name and address. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-3387 before the hearing.

***Department of Transportation:*** (February 2, 2005) intends to amend a rule that will prohibit parking along both sides of State Trunk Highway 42 in Sioux Falls between Grange Avenue and Western Avenue. The general authority for this rule, as cited by the department, is SDCL 32-30-2.4.

A public hearing will be held in the commission room of the Becker-Hansen Building, 700 E. Broadway Avenue in Pierre, South Dakota, on February 24, 2005, 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 23, 2005, 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) 773-3265 at least 48 hours before the hearing.

**NOTICE:**

The **South Dakota Lottery** is ending instant ticket game numbers 209 - Club Casino, 211 - Red Hot Money, 214 - Gold Rush, and 216 - Firecracker Cash. The last day that prizes will be paid for these games is July 18, 2005. Also ending are game numbers 203 - Monopoly, 206 - Royal 7's, and 220 - Sizzling 7's. The last day that prizes will be paid for these games is August 1, 2005.

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

**Executive Appointment:**

**Jean Reed**, Sioux Falls, was appointed on February 1, 2005, to the **South Dakota Risk Pool Advisory Board**, to replace Dr. David Erickson, effective January 31, 2005, and shall continue until June 30, 2006.

**Legislative Appointments:**

**Senator Eric Bogue**, Faith, was reappointed on January 26, 2005, to the **Interim Rules Review Committee**, effective immediately.

**Senator Jim Hundstad**, Bath, was appointed on January 26, 2005, to the **Interim Rules Review Committee**, effective immediately.

**Senator Orville Smidt**, Brookings, was reappointed on January 26, 2005, to the **Interim Rules Review Committee**, effective immediately.

**Representative Jean M. Hunhoff**, Yankton, was reappointed on February 1, 2005, to the **Interim Rules Review Committee**, effective immediately and expires January 1, 2007.

**Representative Roger W. Hunt**, Brandon, was appointed on February 1, 2005, to the **Interim Rules Review Committee**, effective immediately and expires January 1, 2007.

**Representative Bill Thompson**, Sioux Falls, was appointed on February 1, 2005, to the **Interim Rules Review Committee**, effective immediately and expires January 1, 2007.

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**

2-10-2005	Revenue and Regulation: Banking Commission	Amend the examination fee schedule for state-chartered banks; and amend the license fee rates for mortgage bankers and mortgage brokers, money lending businesses, and money order businesses; 31 SDR 113.
2-22-2005	Public Utilities Commission: One-Call Notification Board	Amend rules to improve the efficiencies of the South Dakota One-Call System as identified by the users of the system; 31 SDR 101.
2-24-2005	Transportation	Amend a rule that will prohibit parking along both sides of State Trunk Highway 42 in Sioux Falls between Grange Avenue and Western Avenue; 31 SDR 117.
3-5-2005	Game, Fish and Parks	Repeal the waterfowl refuges at Lake Geddes State Waterfowl Refuge in Charles Mix County and Pudwill Dam State Waterfowl Refuge; modify the refuge at the LaFramboise Island State Game Refuge in Stanley County; and modify the legal description of the Bullhead State Waterfowl Refuge in Roberts County; change the names of the resident

		special "buck" license and nonresident special "buck" license to a resident special "any deer" license and nonresident special "any deer" license, respectively wherever the same may appear in the 3 applicable chapters, and permits the person with one of the "special" deer licenses to harvest "any" type of deer and not just a "buck" deer; 31 SDR 117.
3-29-2005	Revenue and Regulation: Appraisers	Amend a rule to require that an appraisal conform to the Uniform Standards of Professional Appraisal Practice, 2005 Edition; 31 SDR 115.

### *Rules Review Committee Meetings*

The Interim Rules Review Committee will have an informal meeting near the close of the Eightieth Legislative Session to set the tentative meeting schedule for the 2005 interim. Watch for a notice of this informal meeting on the LRC Web site and at the Capitol.

**Note:** An updated version of the Administrative Rules Guide to Form and Style is available at the LRC office and on the LRC web site.

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