

REGISTER



South Dakota Legislative Research Council

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Tuesday, 8:00 a.m., February 17, 2004

A COPY OF EACH REGISTER IS FILED IN THE OFFICE OF THE SECRETARY OF STATE

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:

(February 13, 2004) has filed rules to amend the daily and possession limits for walleye, sauger, or walleye-sauger hybrids in the South Dakota-Minnesota boundary waters; remove the 14" minimum length restriction for walleye, sauger, and walley-sauger hybrids in several bodies of water including Big Stone Lake in Grant and Roberts counties and Hartford Beach Creek within Hartford Beach State Park; add the South Dakota-Minnesota boundary waters to the bodies of water where no more than one walleye, sauger, or walleye-sauger hybrid may be taken daily which is 20" or greater in length; amend the fishing limits for bluegill, sunfish, or combination thereof, and crappie in the South Dakota-Minnesota boundary waters; and permit aerial hunting upon or over certain publicly owned lands under certain circumstances. The general authority for these rules, as cited by the department, is SDCL 41-2-18 and 41-8-39.1.

A public hearing will be held at the Holiday Inn Express in Fort Pierre, South Dakota, on March 4, 2004, at 2:00 p.m. CT. 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. 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 Revenue and Regulation:

Commission on Gaming: (February 13, 2004) is proposing to adopt a rule allowing for a variation of poker known as Silverado Stud poker and Silverado Stud poker bonus. The general authority for this rule, as cited by the commission, is 42-7B-7.

A public hearing will be held at City Hall, 102 Sherman Street, Deadwood, South Dakota, on Wednesday, March 17, 2004, at 9:00 a.m. (MT). Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Commission on Gaming, 425 East Capitol Avenue, Pierre, South Dakota 57501. Written comments must be received by March 12, 2004, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the commission can make arrangements are asked to call (605) 773-6050 or (605) 578-3074 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Administrative Rules: None

Executive Orders:

The Governor has signed **Executive Order 2004-03** dated February 11, 2004. This order directs the Attorney General to investigate the administration of the livestock ownership inspection program by the State Brand Board and South Dakota Stockgrowers Association, and issue a written report to the Governor within 30 days from the date hereof.

The Governor has signed **Executive Order 2004-04** dated February 11, 2004. This order appoints Dr. Richard J. Gowen, Rapid City, as Interim Executive Director of the South Dakota Science and Technology Authority, to serve at the pleasure of the Governor and until such time as the Board of Directors of the Authority appoints an Executive Director.

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 Commerce and Regulation for commercial driver licensing, the Department of Labor for Article 47:03, and the Department of Revenue.

REMINDER OF HEARINGS SCHEDULED

2-25-2004	Education	Adopt rules to implement the Hagen-Harvey memorial scholarship program; 30 SDR 119.
2-26-2004	Transportation	Amend speed zones in Brown County, Codington County, Deuel County, Lincoln County, and Roberts County; 30 SDR 125.
2-26-2004	Transportation	Amend rules to authorize mowing certain highway rights-of-way and protect pheasant habitat in certain areas; 30 SDR 125.
3-3-2004	Labor	Adopt rules regarding seasonal designation for fireworks stands operators, eliminate the denial of benefits to unemployed workers who serve on juries, and allow filing appeals by facsimile; 30 SDR 121.
3-5-2004	Game, Fish and Parks	Amend rules regarding the daily and possession limits for walleye, sauger, or walleye-sauger hybrids in the South Dakota-Minnesota boundary waters; remove the 14" minimum length restriction for walleye, sauger, and walley-sauger hybrids in several bodies of water including Big Stone Lake in Grant and Roberts counties and Hartford Beach Creek within Hartford Beach State Park; add the South Dakota-Minnesota boundary waters to the bodies of water where no more than one walleye, sauger, or walleye-sauger hybrid may be taken daily which is 20" or greater in length; amend the fishing limits for bluegill, sunfish, or combination thereof, and crappie in the South Dakota-Minnesota boundary waters; and permit aerial hunting upon or over certain publicly owned lands under certain circumstances; 30 SDR 129.
3-17-2004	Revenue and Regulation: Commission on Gaming	Adopt a rule to allow a variation of poker known as Silverado Stud poker and Silverado Stud poker bonus; 30 SDR 129.

Rules Review Committee Meetings

The Interim Rules Review Committee will have an informal meeting near the close of the Seventy-ninth Legislative Session to set the tentative meeting schedule for the 2004 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 at the LRC office and on the LRC web site.

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