

# REGISTER



*South Dakota Legislative Research Council*

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

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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:***

(March 12, 2004) intends to amend rules that will establish the number and types of licenses available in the applicable Units for the Custer State Park Deer hunting season; establish the number and types of licenses available in the applicable Units and permit the taking of 3 "male bighorn sheep" rather than 3 "any bighorn sheep" for the Custer State Park Bighorn Sheep hunting season; amend the season length and dates in the applicable hunting Units for the Special Custer State Park Antlerless Elk hunting season; establish the number and types of licenses available in the applicable Units for the Archery Antelope hunting season; establish the number and types of licenses and tags available in the applicable existing, modified, and new Units, establish and describe the boundaries and season dates of a new hunting Unit in Bennett County, divide an existing hunting Unit into 2 described Units, and modify (extend) the hunting season dates through January 31 but commencing on January 1 all unfilled licenses or tags would be converted to antlerless deer licenses for the Archery Deer hunting season; establish the number and types of licenses available in the applicable Units, modify the description and boundaries of certain Units, and clarify that Unit 30A season dates are for the South Dakota portion of the Unit and that licensees may only hunt in the Nebraska portion of the Unit when the Nebraska season is open for the Archery Elk hunting season; establish the number and types of licenses available in the applicable existing and modified Units, modify the description and boundaries of certain

applicable Units, remove all references to the Butte County Unit and authorized licenses from the Black Hills Chapter and move it to the Prairie Elk Season Chapter, modify the dates of the October portion of the antlerless elk season in certain Units so that a portion are valid October 1-17 and the remaining are valid October 16-31, and modify the hunting season dates for Unit BHR/BHS/BHT (Unit 409) for the Black Hills Elk hunting season; establish the number and types of licenses available in the applicable existing, modified, and new Units, add a Butte County Unit to the Chapter on Prairie Elk season and establish the boundary, season dates, and number and types of licenses available, clarify that Unit 30A season dates are for the South Dakota portion of the Unit and that licensees may only hunt in the Nebraska portion of the Unit when the Nebraska season is open, and repeal the requirement that hunters in Unit 30A must attend a pre-season informational meeting for the Prairie Elk hunting season; establish the number and types of licenses available in the applicable and modified Units and divide an existing hunting Unit into 2 described Units for the General Muzzleloading deer hunting season; establish the number of licenses available in the applicable Unit for the Black Hills Bighorn Sheep hunting season; amend the length of the season for Pheasant hunting; amend the length of the season and move certain counties from Unit 2 to Unit 1 for Grouse hunting; require successful hunters to submit their Sage Grouse for inspection; amend the length of the season and move certain counties from Unit 2 to Unit 1 for Gray Partridge; amend the length of the season for hunting Quail; modify the shooting hours and permit the taking of Eurasian collared dove as a Mourning Dove; make modifications

to areas within the Fort Pierre National Grasslands closed to dog training; increase the daily per person admission fee during the Fort Sisseton Festival; add Amsden Dam as a basic campground fee area, increase the cost of the daily camping fee at Fort Sisseton during the Festival, and modify and establish the daily equestrian campground fee at Bear Butte, Lewis and Clark, Newton Hills, Oakwood Lakes, Pease Creek, Pelican Lake, and Union Grove. The general authority for these rules, as cited by the department, is SDCL 41-2-18, 41-6-21, 41-6-78, 41-11-5 , 41-17-1.1, and 41-17-13.4.

A public hearing will be held at the Hampton Inn at the Four Aces Casino in Deadwood, South Dakota, on April 1, 2004, at 2:00 p.m. (MST). 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.

**FILINGS IN THE SECRETARY OF STATE'S OFFICE: (None)**

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**

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.
3-25-2004	Environment and Natural Resources: Board of Water and Natural Resources	Amend rules that will allow the Drinking Water and Clean Water State Revolving Fund programs to make loans for interim financing and to broaden the nonpoint source projects that may be funded through the Clean Water State Revolving Fund program; 30 SDR 139.
3-25-2004	Transportation	Amend a speed zone in Lake County on SD Highway 34 through the city of Madison; amend rules regarding rear-mounted forklift permits; and clarify responsibilities of business owners with tourist-oriented business signs to notify the Department of Transportation of business closings and to assign responsibility of covering signs of closed businesses to the Department; 30 SDR 139.
3-26-2004	Secretary of State: Board of Election	Amend rules to clarify wording on voter registration forms, provide parameters for voter registration verification, clarify voter registration and petition deadline notices, require publication of instructions to voters,

		remove rules relating to punch card ballots, update the municipal nominating and special district formation petitions, and update election forms and procedures to accommodate provisional ballots; 30 SDR 139.
4-1-2004	Game, Fish and Parks	Amend rules regarding the following hunting seasons: Custer State Park Deer, Custer State Park Bighorn Sheep, Special Custer State Park Antlerless Elk, Archery Antelope, Archery Deer, Archery Elk, Black Hills Elk, Prairie Elk, General Muzzleloading Deer, Black Hills Bighorn Sheep, Pheasant, Grouse, Sage Grouse, Gray Partridge, Quail, and Mourning Dove; amend dog training restrictions on Fort Pierre National Grasslands; increase the daily admission fee for the Fort Sisseton Festival; add camping permit fees at Amsden Dam, increase the cost of the daily camping fee at Fort Sisseton during the Festival, and amend and establish daily equestrian camping permit fees at Bear Butte, Lewis and Clark, Newton Hills, Oakwood Lakes, Pease Creek, Pelican Lake, and Union Grove; 30 SDR 143.
4-15-2004	Environment and Natural Resources: Board of Minerals and Environment	Adopt rules regarding risk compensation in compulsory pooling and unitization orders; 30 SDR 135.

### *Rules Review Committee Meetings*

The Rules Review Committee will hold a meeting on Monday, March 15, 2004, at 12:00 noon in Room 413 of the State Capitol, Pierre, South Dakota, to set the meeting schedule for the upcoming interim.

**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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