

REGISTER



South Dakota Legislative Research Council

Volume 31

Monday, 8:00 a.m., October 4, 2004

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

Department of Transportation: (September 28, 2004) has filed rules to amend existing speed rules in Bon Homme County due to recent reconstruction of State Highway 37 and the addition of State Highway 37P into the City of Springfield; establish a speed limit in Bon Homme County for State Highway 37P in Running Water; extend a 45 mph speed zone in Hyde County on U.S. Highway 14 east of the junction with SD Highway 47 in Highmore; amend a speed zone in Lake County on U.S. Highway 81 from Madison west to clarify the speed zones which changed due to reconstruction of the highway; and add a speed zone in Lake County on U.S. Highway 81 through Junius for clarification and amend an existing speed rule for this segment of highway to eliminate this portion of the highway from the rule. The general authority for these rules, as cited by the department, is 32-25-7.

A public hearing will be held in the commission room of the Becker-Hansen Building, 700 E. Broadway Avenue in Pierre, South Dakota, on October 20, 2004, 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, Room 202, Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota 57501-2586. Material sent by mail must reach the Department by October 19, 2004, 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.

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

JOINT POWERS AGREEMENTS ON FILE WITH THE LEGISLATIVE RESEARCH COUNCIL:

The **Department of Agriculture** has filed a Joint Powers Agreement with the Legislative Research Council. The agreement relates to Engineering Plan and Design Assistance for Existing CAFO's Project with Conservation Districts throughout the state that have Concentrated Animal Feeding Operators within their districts. The agreement is for Manure Management Systems and is between the Department of Agriculture and the Department of Environment and Natural Resources.

The **Department of Public Safety** has filed four Joint Powers Agreements with the Legislative Research Council. The agreements are between the department and four units of local government to jointly perform driver license issuance services. The local governments executing the agreements are: Campbell County, City of Lemmon, Hyde County, and Jackson County.

Copies of the agreements are on file with the Legislative Research Council and may be copied or reviewed during normal business hours.

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

10-6-2004	Environment and Natural Resources: Water Management Board	Amend rules to clarify that all waters of the state are subject to public recreation if they can be reached without trespassing on private property; 31 SDR 25.
10-6-2004	Environment and Natural Resources: Water Management Board	Amend the Groundwater Quality Standards rules to set ground water quality standards to the updated maximum contaminant levels as set by the U.S. Environmental Protection Agency; and amend the Groundwater Discharge Permits rules to define "shallow aquifer," clarify who must apply for a ground water discharge plan, specify the maximum duration for a groundwater discharge facility construction permit, and specify renewal requirements for a groundwater discharge facility construction permit; 31 SDR 34.
10-6-2004	Environment and Natural Resources: Water Management Board	Amend Water Rights Program rules to allow bentonite grout to be used instead of cement grout as an annular seal under certain conditions, and to require applicants for new well driller licenses to pass an examination; 31 SDR 39.
10-7-2004	Game, Fish and Parks	Amend camping fees at Buryanek and West Pollock Recreation Areas; allow shotguns using shot shells and bow and arrow to be used during established hunting seasons at Okobojo Recreation Area; and amend handicapped persons hunting permits; 31 SDR 47.
10-19-2004	Secretary of State: Board of Finance	Amend rules to increase per diem rates for meal expenses incurred by employees traveling both in-state and out-of-state on official business; 31 SDR 39.
10-20-2004	Transportation	Amend existing speed rules in Bon Homme County due to recent reconstruction of State Highway 37 and the addition of State Highway 37P into the City of Springfield; establish a speed limit in Bon Homme County for State Highway 37P in Running Water; extend a 45 mph speed zone in Hyde County on U.S. Highway 14 east of the junction with SD Highway 47 in Highmore; amend a speed zone in Lake County on U.S. Highway 81 from Madison west; and add a speed zone in Lake County on U.S. Highway 81 through Junius; 31 SDR 49.
10-29-2004	Labor: Board of Accountancy	Amend rules to carry out the functions of the nationally adopted continuing professional education standards, following approval by the

		Legislature for implementation July 1, 2005; 31 SDR 34.
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Rules Review Committee Meetings

The next meeting of the Interim Rules Review Committee will be held Friday, October 15, 2004, in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2004 interim: December 7.

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.

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 31 are \$20. 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.cfm>).