

REGISTER



South Dakota Legislative Research Council

Volume 31

Monday, 8:00 a.m., December 20, 2004

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:

(December 17, 2004) has filed rules to amend rules pertaining to the Spring Wild Turkey Hunting Season with regards to establishing the number and types of licenses and tags available in the applicable new, modified, and existing hunting Units, modify and combine existing hunting Units 351-15A and 351-15B into one hunting Unit comprising all of Butte County and that portion of Lawrence County lying north of Interstate 90, divide existing hunting Unit 351-53A (all of Perkins County and that portion of Meade County north of US Highway 212) into two separate hunting Units divided by US Highway 20, establish a new hunting Unit in Douglas County, divide hunting Unit 351-08A located in Davison County and Hanson County into two Units for the purpose of establishing separate hunting season dates, combine Units 351-45A and 351-45B (Lyman County) into one hunting Unit, and make modifications to the Unit numbering system for all applicable hunting Units. With regards to the Waterfowl Hunting Season, amend rules to modify the closing date (shorten the season) of the Conservation Order for light geese. The general authority for these rules, as cited by the department, is SDCL 41-2-18 and 41-11-5.

A public hearing will be held at the Ramkota River Center in Pierre, South Dakota, on January 6, 2005, at 2:00 p.m. 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 Health: (December 17, 2004) has filed rules to expand the number of metabolic tests mandated on all newborns. The general authority for these rules, as cited by the department, is SDCL 34-24-25.

A public hearing will be held in the State Health Laboratory conference room, 615 East Fourth Street, Pierre, South Dakota, on January 26, 2005, at 9:00 a.m. to consider the adoption and amendment of proposed rules. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Department of Health, Attn: Colleen Kozel, 600 East Capitol Avenue, Pierre, South Dakota 57501. Copies of the proposed rules may also be obtained at the Health Department website:

<http://www.state.sd.us/doh/News/index.htm>.

Material sent by mail must reach the department by February 5, 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) 773-3361 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

DEPARTMENT OF AGRICULTURE:

12:44:06:01 and 12:53:01:13.

History-Notice: 31 SDR 67, Nov. 1, 2004
 Hearing: November 24, 2004
 Filed: December 10, 2004
 Effective: December 30, 2004

ATTORNEY GENERAL: LAW ENFORCEMENT STANDARDS AND TRAINING COMMISSION:

2:01:12:01 to 2:01:12:08, inclusive; 2:01:02:08, 2:01:02:11; 2:01:06:05, 2:01:06:09; 2:01:08:04; 2:01:09:03; 2:01:10:03; 2:01:11:01, 2:01:11:07; 2:05:01:05, 2:05:01:06; 2:05:02:09; and 2:05:03:06.

History-Notice: 31 SDR 83, Nov. 29, 2004
 Hearing: November 18, 2004
 Filed: December 15, 2004
 Effective: January 4, 2005

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES: BOARD OF WATER AND NATURAL RESOURCES:

74:05:12:01 to 74:05:12:21, inclusive.

History-Notice: 31 SDR 53, October 12, 2004
 Hearing: November 5, 2004
 Filed: December 16, 2004
 Effective: January 5, 2005

Executive Appointments:

George Nikolas, Aberdeen, was reappointed on December 10, 2004, to the **South Dakota Railroad Authority**, effective January 17, 2005, and shall continue until January 19, 2009.

Jerry Prostrollo, Madison, was reappointed on December 10, 2004, to the **South Dakota Railroad Authority**, effective immediately and shall continue until January 21, 2008.

Dennis Yeaton, Chamberlain, was reappointed on December 10, 2004, to the **South Dakota Railroad Authority**, effective immediately and shall continue until January 21, 2008.

Executive Order:

The Governor has signed **Executive Order 2004-10** dated December 13, 2004. This order establishes the South Dakota Red Tape Task Force. The goal of the task force is to find ways to remove unreasonable barriers to existing and new businesses to provide an improved business climate in the state. The task force will be appointed by the Governor, is administered by the Department of Tourism and State Development, will report to the Governor on a regular basis, and issue its final report by December 31, 2006.

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

1-6-2005	Game, Fish and Parks	Amend rules pertaining to the Spring Wild Turkey Hunting Season with regards to establishing the number and types of licenses and tags available in the applicable new, modified, and existing hunting Units; modify
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		and combine existing hunting Units in Butte, Lawrence, Meade, Perkins, Douglas, Davison, Hanson, and Lyman Counties, and make modifications to the Unit numbering system for all applicable hunting Units. With regards to the Waterfowl Hunting Season, amend rules to modify the closing date (shorten the season) of the Conservation Order for light geese; 31 SDR 93.
1-26-2005	Health	Amend rules to expand the number of metabolic tests mandated on all newborns; 31 SDR 93.

Rules Review Committee Meetings

The last meeting of the Interim Rules Review Committee is scheduled for Monday, January 10, 2005, in Room 413 of the State 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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