



# Legislative Research Council

## RULES REVIEW COMMITTEE AGENDA

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Senator Royal "Mac" McCracken, Chair  
Representative Jean M. Hunhoff, Vice Chair

Two hundred forty-first meeting  
Monday  
September 8, 2003

Room 413  
State Capitol  
Pierre, South Dakota

Agencies are asked to have a representative present at the meeting to give background information on their rules.

9:00 a.m. Call to order, roll call, approval of minutes, staff report

9:10 a.m. Review of proposed rules

### Senator McCracken

Department of Agriculture: State Brand Board - Increase the ownership inspection fee by ten cent.

Department of Revenue and Regulation: Division of Insurance - Adopt, amend, and repeal rules regarding reference updates; eliminate duplication and to change a cross-reference for group policies; repeal current grievance procedures and clarify the scope of certain requirements contained in HB 1047; clarify the term contract of more than six-month duration; amend rules regarding disability plans.

Department of Revenue and Regulation: Business Tax - Amend rules to define the terms "commencement of the project", "prescription," and "medical device" to the uniform language of the Streamlined Sales Tax Agreement; amend what classes are exempt from tax; and clarify rules concerning the credit when tax is paid to another state if that tax was subsequently refunded to the taxpayer.

### Representative Hunhoff

Attorney General: Law Enforcement Officers Standards and Training Commission - Adopt a rule concerning compensation for a reserve officer.

Department of Public Safety: Office of State Fire Marshal - Amend rules to change the name of the department to the Department of Public Safety; adopt the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, 2001 edition; and repeal requirements for the use of explosives for protection of sunflowers.

## **Senator Bogue**

Department of Education: Professional Administrators Practices and Standards Commission - Adopt rules requiring an annual meeting and specify how and when special meetings are called.

10:10 a.m. Break

## **Representative Engels**

Bureau of Administration - Increase fees for publication of legal notices.

Department of Labor: State Plumbing Commission - Adopt and amend rules regarding the plur installation certificate.

Department of Revenue and Regulation: Real Estate Commission - Clarify licensing procedures and continuing education provisions; increase the duties authorized under an auctioneer's license and establish the time that an auction listing requires; and update materials incorporated by reference.

## **Representative Smidt**

Department of Game, Fish and Parks - Amend rules that will modify the daily bag limits and possession limits, hunting season dates, and length of applicable hunting seasons for certain waterfowl; provide prohibitions and exclusions therefrom for certain activities at Hunter Quarry Water Access Area in Grant County; more clearly define boating activities which are prohibited within an area designated as a "no wake zone;" amend safety zones to "no wake zones" at Staum Dam, Lake Hanson, Lake Sharpe adjacent to Griffin Park, Lake Dimock, Lake Menno, Lake Tripp, Long Lake, Lake Alvin, Lake Lakota, Loss Lake, Lake Campbell, an area adjacent to and at the mouth of the Bad River near Fort Pierre, and at Lake Marindahl; allow horses for certain hunting activities at Battle Mountain/Friendshuh game production areas in Fall River and Custer counties.

11:10 a.m. Adjourn

**NOTE:** To help agencies estimate when to appear before the committee, the agenda is set assuming a ten-minute presentation per rule. However, actual times may vary.

**Members:** Senator Royal "Mac" McCracken, Chair; Representative Jean M. Hunhoff, Vice-Chair; Senators Eric H. Bogue and H. Paul Dennert; and Representatives Richard H. Engels and Orville B. Smidt.

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