

REGISTER



South Dakota Legislative Research Council

Volume 33

Monday, 8:00 a.m., February 12, 2007

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

Department of Transportation: (February 6, 2007) intends to amend a speed zone in Douglas County on U.S. Highway 281 in the City of Corsica to reduce speed limits for traffic along the area of recent commercial development. The general authority for these rules, as cited by the department, is SDCL 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 February 22, 2007, at 9:05 a.m. CST. Copies of the proposed rules may be obtained without charge from and written comments sent to the Secretary of Transportation, Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota 57501-2586. Material sent by mail must reach the department by February 21, 2007, 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) 773-3540 or 1-800-877-1113 (Telecommunication Device for the Deaf).

Department of Game, Fish and Parks: (February 8, 2007) intends to amend rules that will establish the number of resident and nonresident special any deer licenses/tags available for hunting on privately owned property not leased by the Department of Game, Fish and Parks for public hunting in any unit east of the Missouri River, and will eliminate the "whitetail deer only" restriction in Campbell County; would permit uncased firearms and

bows from September 1 to May 21, inclusive, within the Cheyenne River Lakeside Use Area and would no longer except Angostura State Recreation Area from the prohibition against uncased firearms and bows; would include designated developed day use areas in the list of areas subject to the year around prohibition against uncased firearms and bows; would add the mouth of Spearfish Canyon to the list of areas where only bow and arrow are permitted; would add Angostura State Recreation Area and that portion of North Point State Recreation Area which is situated West of 381st Street and North of 297th Street to the list of areas where only shotguns using shot shells and bow and arrow are permitted; would add that portion of Newton Hills State Park which is situated west of County Road 135 and north of County Road 140 as an area where only shotguns using shot shells for the wild turkey hunting seasons and bow and arrow for archery deer and wild turkey hunting seasons are permitted; would remove the prohibition against uncased firearms in the Mission Hill Fishing Access Area in Yankton County; would add Fort Randall Spillway to the list of state park lands which require a park entrance fee; would remove Northwest Pelican from the list of campgrounds subject to the \$5.71 basic campground fee; would change the time period when the preferred campground fee is charged for a prime campground site from "Labor Day to the second Sunday in May, inclusive," to "during cold weather when restroom and shower facilities are closed;" and would establish the use fees for the Oahe Downstream Group Camp at \$40 per night for non-profit youth groups and \$125 per night for all other groups. The general authority for these rules, as cited by the department, is SDCL

41-2-18, 41-2-38, 41-17-1.1, and 41-17-13.4.

A public hearing will be held at the Pierre Area Chamber of Commerce, 800 West Dakota Avenue, Pierre, South Dakota, on March 1, 2007, at 2:00 p.m. Copies of the proposed rules may be obtained from and written comments sent to Jeffrey R. Vonk, Secretary, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501. Written comments must be received by and in the office of the Secretary of the Department of Game, Fish and Parks on or before 12:00 Noon three (3) days prior to the date of the hearing, to be included within the record of the public hearing and to be considered by the Commission. 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. 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) 773-3387 before the hearing.

FILINGS IN THE SECRETARY OF STATES OFFICE:

On February 8, 2007, the **DEPARTMENT OF SOCIAL SERVICES** filed revisions to the current food stamp regulations incorporated in ARSD 67:13:01:01. The revisions relate to 2007 Social Security and SSI cost of living adjustments.

Executive Order:

The Governor has signed **Executive Order 2007-01** dated February 5, 2007, which grants authority to the South Dakota Division of Wildland Fire Suppression to augment its response efforts with the available assets of the South Dakota National Guard during any of its mission-related wildfires for the 2007 fire season (April 1 through October).

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

2-22-2007	Transportation	Amend a speed zone in Douglas County on U.S. Highway 281 in the City of Corsica to reduce speed limits for traffic along the area of recent commercial development; 33 SDR 133.
3-1-2007	Game, Fish and Parks	Amend rules that will establish the number of resident and nonresident special any deer licenses/tags available for hunting on privately owned property not leased by the Department of Game, Fish and Parks for public hunting in any unit east of the Missouri River, and will eliminate the "whitetail deer only" restriction in Campbell County; would permit uncased firearms and bows from September 1 to

		<p>May 21, inclusive, within the Cheyenne River Lakeside Use Area and would no longer except Angostura State Recreation Area from the prohibition against uncased firearms and bows; would include designated developed day use areas in the list of areas subject to the year around prohibition against uncased firearms and bows; would add the mouth of Spearfish Canyon to the list of areas where only bow and arrow are permitted; would add Angostura State Recreation Area and that portion of North Point State Recreation Area which is situated West of 381st Street and North of 297th Street to the list of areas where only shotguns using shot shells and bow and arrow are permitted; would add that portion of Newton Hills State Park which is situated west of County Road 135 and north of County Road 140 as an area where only shotguns using shot shells for the wild turkey hunting seasons and bow and arrow for archery deer and wild turkey hunting seasons are permitted; would remove the prohibition against uncased firearms in the Mission Hill Fishing Access Area in Yankton County; would add Fort Randall Spillway to the list of state park lands which require a park entrance fee; would remove Northwest Pelican from the list of campgrounds subject to the \$5.71 basic campground fee; would change the time period when the preferred campground fee is charged for a prime campground site from "Labor Day to the second Sunday in May, inclusive," to "during cold weather when restroom and shower facilities are closed;" and would establish the use fees for the Oahe Downstream Group Camp at \$40 per night for non-profit youth groups and \$125 per night for all other groups; 33 SDR 133.</p>
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RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee will have an informal meeting near the close of the Eighty-second Legislative Session to set the tentative meeting schedule for the 2007 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 Legislative Web site.