

# REGISTER



## South Dakota Legislative Research Council

Volume 41

Tuesday, 8:00 a.m., September 2, 2014

**NOTICE 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:***

(August 27, 2014) intends to amend Camping Permits and Rules to adjust the group lodging fee at Mina Lake State Recreation Area and Shadehill State Recreation Area to \$185 a night for the first eight persons regardless of age plus \$10 for each additional person regardless of age, with a maximum occupancy of 10 persons, and also adjust the group lodging fee at Lake Thompson State Recreation Area, Palisades State Park, Sheps Canyon State Recreation Area, and Newton Hills State Park to \$240 a night for the first 12 persons regardless of age plus \$10 for each additional person regardless of age, with a maximum occupancy of 15 persons; restrict camping cabin and rent-a-camper occupancy to the number of sleeping spaces provided, or one family with an extra tent, and define a single bed as one sleeping space, and a double or larger bed as two sleeping spaces; and establish a facility use fee of \$50 for the Palisades State Park event shelter located adjacent to the lodge. The general authority for these rules, as cited by the department, is SDCL §§ 41-2-24, 41-17-1.1, and 41-17-13.4.

A public hearing will be held at the Best Western Sturgis Inn, 2431 Junction Avenue, Sturgis, South Dakota, on October 2, 2014, at 2:00 p.m. (MDT). Copies of the proposed rules may be obtained from and written comments sent to Jeffrey R. Vonk, Secretary, Foss Building, 523 East Capitol, Pierre, South Dakota 57501. Copies of the proposed rules are also available at: <http://rules.sd.gov/>. 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 p.m. 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 email to <http://rules.sd.gov/>. All written and email comments must include the commenter's name, home town/city and state. 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) 773-3718 or (605) 223-7684 (Telecommunication Device for the Deaf) before the hearing.

### **FILINGS IN THE SECRETARY OF STATE'S OFFICE:**

#### **DEPARTMENT OF LABOR AND REGULATION: DIVISION OF**

**INSURANCE:** 20:06:12:07; 20:06:13 - Appendix D; 20:06:19:04; 20:06:25:01, 20:06:25:01.01, 20:06:25:01.02, 20:06:25:02; 20:06:26:01; 20:06:36:01, 20:06:36:04, 20:06:36:05; and 20:06:42:01.

History-Notice: 40 SDR 237, June 30, 2014

Hearing: July 21, 2014

Filed: August 28, 2014

Effective: September 17, 2014

### **Executive Appointments:**

**Christie L. Hainje**, Dell Rapids, was reappointed on July 23, 2014, to the **Family Support Council**, effective immediately and shall continue until June 30, 2017.

**Bruce A. Micheel**, Cavour, was reappointed on July 23, 2014, to the **Board of Service to the Blind and Visually Impaired**, effective immediately and shall continue until June 30, 2017.

Note: A copy of the rules may be obtained directly from the above agencies or at <https://rules.sd.gov>. 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

9-4-2014	Revenue: Lottery Commission	Adopt the MONOPOLY Millionaires' Club rules of the National Premium Game Product Group of the Multi-State Lottery Association as the rules for the game in South Dakota; 41 SDR 27, August 11, 2014.
9-9-2014	Agriculture: Division of Ag Development	Amend rules regarding the Farm Loan Mediation program and adopt rules for the expansion of the mediation program for federal lands mediation and oil and gas mediation; 41 SDR 22, August 4, 2014.
9-10-2014	Revenue: Commission on Gaming	Amend Racing rules to require that individuals give written notice to a state steward rather than the racing secretary when scratching horses from races, remove Naproxen and add Flunixin to the list of substances that may be administered to horses, repeal the prohibition on sale of tip sheets and other programs in the grandstand, and clarify the definition of a satellite facility; and amend Gaming rules to authorize a new variation of blackjack known as Lucky Lucky, revise a rule to recognize technological advances in slot machine meters, and reduce the length of time records must be kept from five years to three years; 41 SDR 33, August 18, 2014.
9-15-2014	Education: Board of Education	Amend Career and Technical Education rules to outline the purpose, process, criteria and conditions for grant applications and distribution of funds from the workforce education fund and update definitions within the article; and amend a Certification rule to remove the school library/media endorsement as a stand-alone certificate; 41 SDR 33, August 18, 2014.

10-2-2014	Game, Fish and Parks	Amend Camping Permits and Rules to adjust the group lodging fee at Mina Lake State Recreation Area and Shadehill State Recreation Area to \$185 a night for the first eight persons regardless of age plus \$10 for each additional person regardless of age, with a maximum occupancy of 10 persons, and also adjust the group lodging fee at Lake Thompson State Recreation Area, Palisades State Park, Sheps Canyon State Recreation Area, and Newton Hills State Park to \$240 a night for the first 12 persons regardless of age plus \$10 for each additional person regardless of age, with a maximum occupancy of 15 persons; restrict camping cabin and rent-a-camper occupancy to the number of sleeping spaces provided, or one family with an extra tent, and define a single bed as one sleeping space, and a double or larger bed as two sleeping spaces; and establish a facility use fee of \$50 for the Palisades State Park event shelter located adjacent to the lodge; 41 SDR 41, September 2, 2014.
10-7-2014	Corrections	Adopt a rule to give Tribal Parole Agents, hired pursuant to the tribal parole project, the authority to detain parolees for the purpose of preventing escape and enforcing discipline on parolees; 41 SDR 37, August 25, 2014.
10-9-2014	Corrections: Board of Pardons and Paroles	Amend rules to align rule content with recent statutory changes regarding attendance at parole hearings, victim notice, procedures for parole with insufficient evidence of program directive compliance, parole to other jurisdictions and indeterminate sentences; establish a process for an expedited pardon application for minor offenses; and clarify that the Parole Board can impose an inmate's suspended sentence for institutional rule violations and/or for failing to participate in required programming; 41 SDR 37, August 25, 2014.

### **RULES REVIEW COMMITTEE MEETINGS**

The next meeting of the Interim Rules Review Committee will be held on Tuesday, September 16, 2014, via the Digital Dakota Network (DDN) in Room 414, Fourth Floor of the State Capitol. Other DDN sites will be: Huron – DHS, 2361 Dakota Ave. S; Mitchell – Mitchell Technical Institute, 1800 E. Spruce, Room TC 155; Rapid City – SD School of Mines & Technology, 501 E. St. Joseph St., Room CB 109;

and Sioux Falls – University Center, 4801 N. Career Ave., Room FADM 145. The committee chair has set the following tentative meeting schedule for the 2014 interim: November 12, and December 16.

**Note:** An updated version of the Administrative Rules Guide to Form and Style is available on the LRC website at <http://legis.sd.gov/Rules/RulesManual.aspx>.