



Legislative Research Council

RULES REVIEW COMMITTEE

AGENDA

Revised 7/7/2010

Representative Roger W. Hunt, Chair
Senator Jean M. Hunhoff, Vice Chair

Three hundred sixth meeting
Tuesday
July 20, 2010

Room 414
State Capitol
Pierre, South Dakota

Other DDN Site Locations:

Northern State University
1200 S. Jay St., Room Lib 117
Aberdeen, South Dakota

Department of Transportation
901 Dakota St.
Huron, South Dakota

Mitchell Technical Institute
1800 E. Spruce, Room TC 155
Mitchell, South Dakota

SD School of Mines & Technology
501 E. St. Joseph St., Room CB 108
Rapid City, South Dakota

University Center
2205 Career Ave., Room 282 S
Sioux Falls, South Dakota

Department of Transportation
1306 W. 31st St.
Yankton, South Dakota

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

10:15 a.m. CDT Call to order, roll call, approval of minutes, staff report
9:15 a.m. MDT

Review of proposed rules

Senator Hunhoff

Department of Health: Board of Massage Therapy – Amend rules to provide standards for the training schools, a third choice for a national examination, and over-all clarification of several rules.

Senator Hundstad

Department of Agriculture: Agronomy Services – Amend Apiary rules regarding entrance permits, inspections, and contested case procedures.

Department of Revenue and Regulation: Division of Insurance – Amend a Life Insurance rule to prohibit the inclusion of exclusionary riders on life insurance policies without the insured's consent and adopt External Review rules to ensure that life

insurance policyholders are aware of any policy changes that would affect them and have the opportunity to reject changes proposed by their insurance company.

Department of Transportation – Amend a speed zone in Lawrence County on U.S. Highway 14A near the north city limits of Deadwood that is being extended through an area with heavy traffic entering and leaving the highway; amend a speed zone in Union County on Interstate 29 Business Loop at Exit 15 that is being extended through an area of development; repeal a speed zone in Union County on Interstate 29 Business Loop at Exit 15 due to it being incorporated into another rule; and amend rules to authorize geographical significant site reference centers to be eligible for interstate traffic generating facility signage.

Representative Lust

Department of Education: South Dakota Professional Teachers Practices and Standards Commission – Amend rules to add sections to the Code of Ethics for Teachers that prohibits sexual activity with students and require that teachers exemplify high moral standards; and to accurately refer to the Secretary of the Commission as the Executive Secretary.

Senator Vehle

Department of Game, Fish and Parks – Amend Fall Wild Turkey Hunting Season rules to establish season dates, shooting hours, open units, requirements, and restrictions; establish the number and types of licenses available which will include offering 835 fewer resident one-tag and 730 more resident two-tag "any turkey" licenses in East River Prairie Units; consolidate the Stanley County Unit into the West River Prairie Unit; and create units for Deuel and Moody counties for the East River Prairie Season in which hunters may only use a shotgun with shot shells, a muzzle loading shotgun, or a bow and arrow; amend Black Hills Deer Hunting Season rules to establish season dates, shooting hours, open units, and requirement and restrictions; establish the number and types of resident and nonresident licenses available which will include offering residents 100 fewer and nonresidents 8 fewer "any deer" licenses than 2009; offering residents 500 fewer and nonresidents 40 fewer "any whitetail deer" licenses than 2009; offering residents 300 fewer and nonresidents 24 fewer "antlerless deer" licenses than 2009; and offering residents 1,400 fewer and nonresidents 112 fewer "antlerless deer" licenses than 2009; and offering residents 1,400 fewer and nonresidents 112 fewer "antlerless whitetail deer" licenses than 2009; amend West River Prairie Deer Season rules to establish season dates, shooting hours, open areas, requirements and restrictions; establish the number and types of resident and nonresident licenses/tags available, which will include adjusting resident license numbers by decreasing resident one-tag licenses by 500, increasing resident two-tag licenses by 3,150 (6,300 tags), and decreasing resident three-tag licenses by 4,520 (13,560 tags) compared to 2009; adjusting nonresident license numbers by decreasing nonresident one-tag licenses by 40, increasing nonresident two-tag licenses by 252 (504 tags), and decreasing nonresident three-tag licenses by 362 (1,086 tags) compared to 2009; clarify that Unit WRD-58D (not Unit WRD-58B) is excepted from the eight percent limitation on the maximum number of licenses which may be issued to nonresident applicants; change the reference in the unit boundary description for Unit WRD-02A from "Viewfield-Hereford Rd" to "New Underwood Rd;" and create application requirements for qualifying farmers and

ranchers to apply for and receive two free antlerless deer licenses as authorized by legislation passed during the 2010 legislative session; amend a Mink, Weasel, and Muskrat Trapping Season rule to establish season dates, open area, requirements and restrictions, and extend the date that trapping can occur on muskrat houses to March 15; amend Trapping Prohibitions rules to prohibit people from attempting to claim trap locations on public road right-of-ways or public land prior to the start of the mink season and is intended to provide all people an equal opportunity to trap mink on public road right-of-ways or public land; amend a Private Shooting Preserves rule to allow for the removal of the head, leg and sufficient plumage from birds harvested on a licensed private shooting preserve with certain restrictions; and amend a Captive Game Birds rule to add quail to the list of those game birds excluded from the identification marking requirement.

Department of Game, Fish and Parks – Amend Waterfowl Hunting Seasons and Early Fall Canada Goose Hunting Season rules to establish season dates, requirements and restrictions, shooting hours, open area, bag and possession limits; increase the daily bag limit from 5 to 8 geese and the possession limit from 10 to 16 geese; repeal the rule which prohibits nonresidents from hunting in the counties of Beadle, Brookings, Hanson, Kingsbury, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Sanborn, Turner, and Union; and modify the boundaries of Units 1 and 2 along the Missouri River to allow additional early season harvest of resident Canada geese; amend an East River Deer Hunting Season rule to establish season dates, requirements and restrictions, open areas, shooting hours, and number of licenses/tags available; and designate the areas where qualifying landowners/ranchers may use the two free antlerless deer tags authorized by the 2010 Legislature as being those units where licenses remain available following the second drawing; amend a Antelope Hunting Season rule to establish season dates, requirements and restrictions, open areas, shooting hours, and number of resident and nonresident licenses/tags available; and amend a National Wildlife Refuge Deer Hunting Season rule to establish season dates, requirements and restrictions, open areas, shooting hours, establish the number of resident and nonresident licenses/tags available; allow any hunter possessing a valid "antlerless deer" tag in any Sand Lake hunting unit to hunt from one-half hour before sunrise to one-half hour after sunset each day for 9 consecutive days beginning on the Saturday following Christmas; and beginning on the Saturday following Christmas, all valid tags for "any deer" in sold and unsold licenses shall become "antlerless deer" tags, respectively.

12:00 noon CDT Adjourn

Members: Senators Jean M. Hunhoff, Jim Hundstad, and Mike Vehle; and Representatives Roger W. Hunt, Peggy Gibson, and David Lust.

NOTE: *Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605/773-3251) in advance of the meeting to make any necessary arrangements.*



All Legislative Research Council committee minutes and agendas are available on the South Dakota Legislature's Homepage (<http://legis.state.sd.us>). Subscribe to receive electronic notification of meeting schedules and the availability of agendas and minutes at MyLRC (<http://legis.state.sd.us/mylrc/index.aspx>).