

REGISTER



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Monday, 8:00 a.m., February 10, 2014

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

Department of Transportation: (February 7, 2014) is proposing to amend a Speed Zone rule by extending an existing 65 mph speed zone on Interstate Highway 90 beginning at milepost 55.2 and ending at milepost 66.5 an additional 1.3 miles east to end at milepost 67.8. The general authority for this rule, 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 East Broadway Avenue, Pierre, South Dakota, on February 27, 2014, at 9:05 a.m. CST. Copies of the proposed rule 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 26, 2014, 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).

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Orders:

The Governor has signed **Executive Order 2013-21** dated December 20, 2013. This order established the State Service Commission to assist the State in the application for federal funds, and the implementation and administration of various community service programs.

The Governor has signed **Executive Order 2014-01** dated January 8, 2014. This order determines that a state of emergency exists due to extremely low inventories and outages of propane and heating fuel. Due to the emergency, the transportation and delivery of diesel, ethanol, gasoline, and propane into and within South Dakota are exempt from 49 CFR Part 395, otherwise known as the federal hours of service regulations. The order will expire upon conclusion of the emergency, but no later than midnight, February 8, 2014.

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

2-27-2014	Transportation	Amend a Speed Zone rule by extending an existing 65 mph speed zone on Interstate Highway 90 beginning at milepost 55.2 and ending at milepost 66.5 an additional 1.3 miles east to end at milepost 67.8; 40 SDR 145.
3-6-2014	Game, Fish and Parks	Amend a Use of Parks and Public Lands rule to establish a year round prohibition against the establishment, utilization, or maintenance of a bait station on Game Production Areas, State Parks, State Recreation Areas, State Lakeside Use Areas, State Nature Areas, and State Water Access Areas; amend Public Water Zoning rules to amend the starting date that boating is prohibited on Reid Lake in Clark County from September 1 to October 20; amend the exiting "no wake zone" and "no swimming zone" at Spring Creek Recreation Area in Hughes County by designating the waters inside the floating breakwater protected areas as a "no wake zone," and by designating the waters within 20 feet of the breakwater as a "no swimming zone;" and amend the boundaries of the existing "public swimming zone" and "no wake zone" on Shadehill Reservoir in Perkins County by designating the waters fronting on the north side of the reservoir beginning 150 feet from the shore directly in front of the picnic shelter and extending 250 feet to the east along the shoreline as a "public swimming zone," and by designating the waters fronting Ketterlings Point on Shadehill Recreation Area beginning 150 feet from the shore in the center of the lodge on the east side of the point and extending around the south end of the point ending approximately in the center of the lodge on the west-facing side of the point as a "no wake zone;" amend Motorboats and Watercraft rules to incorporate the federal navigation rules by reference and adopt a rule to address the overloading of boats; amend Refuges rules to reclassify Reid Lake State Game Refuge in Clark County to Reid Lake Waterfowl Refuge; reclassify White Lake State Game Refuge in Marshall County to White Lake Waterfowl Refuge and modify the boundary description

		of this refuge; eliminate the Stink Lake Waterfowl Refuge in Marshall County; eliminate the Dry Lake State Waterfowl Refuge in Hamlin County; and eliminate the Bullhead Lake State Waterfowl Refuge in Roberts County; and adopt a Possession, Processing and Transportation of Game rule to authorize purchase and sale of the skins of lawfully taken cottontail rabbits and fox squirrel, grey squirrel, and red squirrel; 40 SDR 137.
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RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee will have an informal meeting near the close of the Eighty-ninth Legislative Session to set the tentative meeting schedule for the 2014 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 on the Legislative Web site at <http://legis.sd.gov/Rules/RulesManual.aspx>.

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