

REGISTER



South Dakota Legislative Research Council

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Monday, 8:00 a.m., March 21, 2016

FILINGS IN THE SECRETARY OF STATE'S OFFICE: (None)

FILINGS IN THE LEGISLATIVE RESEARCH COUNCIL'S OFFICE: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Game, Fish, and Parks:

(March 17, 2016) intends to amend Uses of Parks and Public Lands rules to address property that may be left on department lands and create an allowance for portable blinds on department lands and regulate their placement and define and allow use of trail cameras on department lands and regulate their placement; amend Application for License rules to allow an individual to use preference points in the second drawing for elk hunting seasons; amend a Hunting Requirements and Prohibited Methods rule to allow a person to hunt cottontail rabbit, squirrel and predator/varmints with an air gun that is factory-rated to produce a muzzle velocity of no less than 600 feet per second; amend a Goose Hunting Season (August Management Take) to remove all counties from the open area other than that portion of Pennington County west of the Cheyenne River; amend a Black Hills Elk Hunting Season rule to adjust the number of licenses available, make adjustments to existing antlerless hunting units and create new antlerless elk hunting units, set season dates, and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; amend Custer State Park Elk Hunting Season (Any Elk) rules to adjust the number of licenses available and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit;

amend Custer State Park Early Archery Elk Hunting Season rules to adjust the number of licenses available and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; amend Archery Elk Hunting Season rules to adjust the number of licenses available and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; amend Special Custer State Park Antlerless Elk Hunting Season rules to modify the unit boundaries and change the season dates for CAE-CU1 and CAE-CU2, increase the number of "antlerless elk" licenses, repeal Unit CAE-ZZ1, and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; amend Early Fall Canada Goose Hunting Season and Waterfowl Hunting Seasons rules to modify the boundaries of Units 1 and 2 and change the start date from September 1 to the first Saturday of September; amend Prairie Elk Hunting Season rules to adjust the number of licenses available, amend the unit boundary for Unit 9A, change the season dates for Unit 15A and Unit 27A, and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; and amend Custer State Park Non-Trophy Bison Harvest rules to change the season dates and reduce the number of cow licenses. The general authority for these rules, as cited by the department, is SDCL §§ 41-2-18, 41-6-21, 41-8-31, 41-11-5, 41-17-1.1, and 41-17-18.

A public hearing will be held at McCrory Gardens, SDSU, 621 22nd Avenue, Brookings, South Dakota, on April 7, 2016, at 2:00 p.m. (CDT). Copies of the proposed rules may be obtained from and written comments sent to the

office of the Secretary of the Department of Game, Fish and Parks, Foss Building, 523 East Capitol, Pierre, South Dakota 57501. Copies of the proposed rules are also available at: <https://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. on the date of the hearing. Comments may also be sent by email to either wildinfo@state.sd.us or gfpadminrules@state.sd.us. 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.

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

3-28-2016	Public Utilities Commission Adopt rules to set forth specific measurement and testing procedures that an electric utility must follow when the utility tests a dairy for stray voltage or current; 42 SDR 123, February 29, 2016.
4-7-2016	Department of Game, Fish, and Parks Amend Uses of Parks and Public Lands rules to address property that may be left on department lands and create an allowance for portable blinds on department lands and regulate their placement and define and allow use of trail cameras on department lands and regulate their placement; amend Application for License rules to allow an individual to use preference points in the second drawing for elk hunting seasons; amend a Hunting Requirements and Prohibited Methods rule to allow a person to hunt cottontail rabbit, squirrel and predator/varmints with an air gun that is factory-rated to produce a muzzle velocity of no less than 600 feet per second; amend a Goose Hunting Season (August Management Take) to remove all counties from the open area other than that portion of Pennington County west of the Cheyenne River; amend a Black Hills Elk Hunting Season rule to adjust the number of licenses available, make adjustments to existing antlerless hunting units and create new antlerless elk hunting units, set season dates, and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; amend Custer State Park Elk Hunting Season (Any Elk) rules to adjust the number of licenses available and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; amend Custer State Park Early Archery Elk Hunting Season rules to adjust the number of licenses available and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; amend Archery Elk Hunting Season rules to adjust the number of licenses available and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; amend Special Custer State Park Antlerless Elk Hunting Season rules to modify the unit boundaries and change the season dates for CAE-CU1 and CAE-CU2, increase the number of "antlerless elk"

	licenses, repeal Unit CAE-ZZ1, and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; amend Early Fall Canada Goose Hunting Season and Waterfowl Hunting Seasons rules to modify the boundaries of Units 1 and 2 and change the start date from September 1 to the first Saturday of September; amend Prairie Elk Hunting Season rules to adjust the number of licenses available, amend the unit boundary for Unit 9A, change the season dates for Unit 15A and Unit 27A, and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit; and amend Custer State Park Non-Trophy Bison Harvest rules to change the season dates and reduce the number of cow licenses; 42 SDR 131, March 21, 2016.
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RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on Tuesday, April 12, 2016, in Room 414, Fourth Floor of the State Capitol. The committee chair has set the following meeting schedule for the 2016 interim: June 1, July 12, August 22, September 26, and November 14.

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>.

