

REGISTER

South Dakota Legislative Research Council



Volume 33

Tuesday, 8:00 a.m., May 29, 2007

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

Department of Health: (May 25, 2007) intends to amend rules to change the form used to gather hospital charge data from the Health Care Financing Administration Uniform Bill-92 Form to the new standard of Centers for Medicare and Medicaid Services Uniform Bill-04. The general authority for these rules, as cited by the department, is SDCL 34-12E-11.

A public hearing will be held in the Health Building, Room 107, 600 East Capitol Avenue, Pierre, South Dakota, on June 27, 2007, at 9:00 a.m. to consider the adoption and amendment of proposed rules. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Department of Health, 600 East Capitol Avenue, Pierre, South Dakota 57501. Copies of the proposed rules may also be obtained at the Health Department website:

<http://www.state.sd.us/doh/News/index.htm>.

Material sent by mail must reach the department by July 7, 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) 773-3361 at least 48 hours before the hearing.

NOTICE:

The Medicaid Pharmaceutical and Therapeutics Committee will be meeting on Friday, June 15, 2007, at 12:30 p.m. in the Fontanelle I Room of

the Sheraton Hotel, Sioux Falls, South Dakota. A copy of the agenda is available at: <http://www.hidsdmedicaid.com/>. For additional information contact the Department of Social Services, Division of Medical Services at (605) 773-3495.

FILINGS IN THE SECRETARY OF STATES OFFICE:

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES: BOARD OF MINERALS AND ENVIRONMENT:

74:36:07:01 to 74:36:07:07.01, inclusive,
74:36:07:09 to 74:36:07:28, inclusive,
74:36:07:31 to 74:36:07:34, inclusive,
74:36:07:36, 74:36:07:37, 74:36:07:39 to
74:36:07:89, inclusive; 74:36:08:01 to
74:36:08:102, inclusive; and 74:36:09:02.

History-Notice: 33 SDR 151, March 19, 2007
Hearing: April 19, 2007
Filed: May 24, 2007
Effective: June 13, 2007

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

6-7-2007	Game, Fish and Parks	<p>Amend Fall Wild Turkey Hunting Season rules to offer residents 500 and nonresidents 40 more one-tag “any turkey” licenses (17% increase of 540 tags) in the Black Hills than 2006; offer residents 340 less one-tag and 995 more two-tag “any turkey licenses (15% increase of 1,650 tags) in Prairie units than 2006; offer nonresidents 4 more one-tag and the same number of two-tag “any turkey” licenses (1% increase) in Prairie units than 2006; change the season dates from October 1 – December 31 to October 1 – January 31; add new units in Brookings County east of Interstate 29 and Brule County (rifles would not be permitted for turkey hunting in the Brookings County unit); and expand the 5-county unit in northeastern South Dakota to include all of Grant County; amend Black Hills Deer Hunting Season rules to eliminate the 5,500 resident and 440 nonresident “any buck with two points or more or any antlerless deer” and offer 500 resident and 40 nonresident “any deer” licenses and 5,000 resident and 400 nonresident “any whitetail deer” licenses in 2007; and offer the same number of resident and nonresident “antlerless” licenses as 2006; amend West River Deer Hunting Season rules to adjust license numbers in six units for a no net change in resident one-tag and 30 less two-tag licenses (60 tags) than 2006; and adjust license numbers in six units for a no net change in resident one-tag licenses and 2 less two-tag licenses (4 tags) than 2006; amend Mountain Lion Hunting Season rules to dissolve the separate Black Hills and Prairie units and establish one statewide unit; dissolve separate Black Hills and Prairie licenses and establish one resident license that is valid statewide and set the fee for this license at \$15.00 (\$10.00 plus \$5.00 surcharge); increase the harvest limit to 35 (25 in 2006) mountain lions or 15 (8 in 2006) female mountain lions; and require that all harvested mountain lions be presented to a GFP representative for inspection within 24 hours of harvest; amend Furbearer Seasons – Nonresidents rules to</p>
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		create a nonresident furbearer license and set the fee at \$250.00; establish requirements and restrictions for nonresidents, including but not limited to prohibiting nonresidents from taking mink, weasel, muskrat, beaver and raccoon from May 1 through the Friday preceding the 2 nd Saturday of November, and prohibiting nonresidents from taking bobcats from February 16 through the Friday preceding the 2 nd Saturday of January; and amend Public Water Zoning rules to establish a new water safety zone; i.e., a “No Wake Zone” in the area on Lake Madison (Lake County) commonly known as Sunset Harbor, including the entrance canal, and would change the water safety zone on the waters of Lehrman GPA (McCook County) from no boating “from October 20 to December 31, inclusive” to no boating “during a Conservation Order as well as during any open season for migratory waterfowl;” 33 SDR 211.
6-15-2007	Revenue and Regulation: Lottery Commission	Amend rules to authorize the Lottery to conduct an online raffle game and establish parameters for the game; 33 SDR 205.
6-27-2007	Health	Amend rules to change the form used to gather hospital charge data from the Health Care Financing Administration Uniform Bill-92 Form to the new standard of Centers for Medicare and Medicaid Services Uniform Bill-04; 33 SDR 217.
7-19-2007	Environment and Natural Resources: Board of Minerals and Environment	Amend rules to update existing hazardous waste rules by incorporating the federal regulations by reference. Changes to the rules include clarifications to the used oil management standards; special provision for National Environmental Performance Track Program companies; amends existing national emission standards for permitted hazardous waste treatment, storage and disposal facilities; includes certain wastes generated by the dye, pigment, food, drug and cosmetic colorant manufacturing industries as hazardous wastes; clarifies requirements for the management of mercury-containing equipment; modifies requirements for the hazardous waste manifest system; and establishes requirements for the safe management of used electronic devices that contain cathode ray tubes; 33 SDR 205.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held Tuesday, June 5, 2007, in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2007 interim: August 21, September 27, December 4, and January 7, 2008.

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.

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