

# REGISTER

*South Dakota Legislative Research Council*



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**A COPY OF EACH REGISTER IS FILED IN THE OFFICE OF THE SECRETARY OF STATE**

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**NOTICES 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:** (July 16, 2002) intends to adopt rules to modify the season dates for Canada Goose Units 2 and 4 and the limit for certain geese; to modify the High Plains, Low Plains, and Low Plains North Zone duck hunting season length, dates, daily bag limits, and possession limits for certain ducks within federal parameters; repeal Dry Creek State Waterfowl Refuge on Lake Oahe; add a "no boating zone" to the eastern end of Swan Lake which will prohibit all boats from entering the described areas and establish a "public swimming zone" at Stockade Lake in Custer State Park; prohibit the consumption and possession of any alcoholic beverages when entering, using, or occupying an area lying east of Highway 79 in Bear Butte State Park; and prohibit leaving, scattering, or burying any cremated human remains, including ashes, within the boundaries of Bear Butte State Park. The general authority for these rules, as cited by the department, is SDCL 32-3A-1, 41-2-18, 41-11-5, and 41-17-1.1.

A public hearing will be held at the Ramada Inn in Aberdeen, South Dakota, on August 8, 2002, at 2:00 p.m. Copies of the proposed rules may be obtained from and written comments sent to John L. Cooper, Secretary, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501. Written comments must be received prior to the hearing date. Comments may also be sent by e-mail to [chuck.schlueter@state.sd.us](mailto:chuck.schlueter@state.sd.us). E-mail comments must include the commenter's name and address. Persons who have special needs for which the department can make

arrangements are asked to call (605) 773-3387 before the hearing.

**Bureau of Finance and Management:** (July 18, 2002) is proposing rules to allow state agencies to accept payment for goods or services by means of credit cards and to allow agencies to collect related processing fees incurred by the agency from the purchasers of those goods or services. The general authority for these rules, as cited by the bureau, is SDCL 4-3-28.

A public hearing will be held in Legislative Conference Room 2, Second Floor, State Capitol Building, 500 East Capitol, Pierre, South Dakota, on August 9, 2002, at 10:30 a.m. Copies of the proposed rules may be obtained from and written comments sent to the South Dakota Bureau of Finance and Management, Room 216, State Capitol, 500 East Capitol, Pierre, South Dakota, 57501. Written comments must be received by August 19, 2002, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the bureau can make arrangements are asked to call (605) 773-3411 at least forty-eight hours before the hearing.

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

### ***Administrative Rules:***

**DEPARTMENT OF HEALTH:** 44:22:01:01, 44:22:01:02, 44:22:01:03; 44:22:02:01 to 44:22:02:10, inclusive; 44:22:03:03; 44:22:04:01; 44:22:05:01; 44:65:01:01; 44:65:02:01 to 44:65:02:06, inclusive.

History-Notice: 28 SDR 165, May 28, 2002

Hearing: June 19, 2002

Filed: July 18, 2002

Effective: August 7, 2002

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 Commerce and Regulation for commercial driver licensing, the Department of Labor for Article 47:03, and the Department of Revenue.

### REMINDER OF HEARINGS SCHEDULED

7-24-2002	Social Services	Repeal rule that allowed the department to assess, collect, and distribute interest on unpaid support obligations; 29 SDR 1.
7-25-2002	Agriculture	Loan programs, VALU Guaranty, Young Farmer Rancher Seminar, Junior Livestock Loan Program, Agricultural Youth Institute, change terminology and references; 29 SDR 1.
7-31-2002	Commerce and Regulation: Plumbing Commission	License fees, exceptions to conformation with national code, water piping to livestock facilities, public bathrooms, wet venting and number of fixture units, location of dual check backflow preventers; 28 SDR 177.
8-8-2002	Game, Fish and Parks	Canada goose and duck hunting seasons, repeal Dry Creek Waterfowl Refuge on Lake Oahe, public water zoning, no alcohol in Bear Butte State Park, prohibit leaving cremated human remains at Bear Butte State Park; 29 SDR 11.
8-9-2002	Finance and Management	Allow agencies to accept payment for goods with credit cards; 29 SDR 11.
8-13-2002	Commerce and Regulation: SD Real Estate Commission	Establish provisions for prelicensing and continuing education, compensate for reduction in funds, and conform the rules to statutes; 29 SDR 5.

***Rules Review Committee Meetings***

The next meeting of the Interim Rules Review Committee will be held Tuesday, August 6 in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2002 interim: September 17, November 20, and January 6.

Agencies whose rules have had a public hearing will be scheduled to meet with the Rules Review Committee and are asked to have a representative present at the meeting to give background information on their rules.

**Note:** An updated version of the Administrative Rules Guide to Form and Style is now available at the LRC office and on the LRC web site.

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