

REGISTER

South Dakota Legislative Research Council



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Monday, 8:00 a.m., October 25, 2010

NOTICES OF PROPOSED RULES: (None)

Financing: Appropriation from Legislature

Organization: None created

Duration: October 12, 2010, until terminated by 60 days written notice

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

JOINT POWERS AGREEMENT ON FILE WITH THE LEGISLATIVE RESEARCH COUNCIL:

Copies of the agreements are on file with the Legislative Research Council and may be copied or reviewed during normal business hours.

Parties: Department of Environment and Natural Resources, Division of Environmental Services and Attorney General

Purpose: Legal Services

Financing: EPA-DENR Performance Partnership and Appropriation from Legislature

Organization: None created

Duration: Oct. 1, 2010 – Sept. 30, 2011

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.

Parties: Attorney General and Gregory County Sheriff

Purpose: Implement 24/7 Sobriety Program

REMINDER OF HEARINGS SCHEDULED

10-27-2010	Revenue and Regulation: Lottery Commission	Amend rules to adopt the latest amended game rules of the Multi-State Lottery Association for the Mega Millions Game, including the Megaplier Special Promotion Game rules, and the Powerball Game, including the Power Play rules, as the rules of the South Dakota Lottery for the games; 37 SDR 68.
10-28-2010	Agriculture: SD Value Added Finance Authority	Amend rules to increase the bond amount for the Beginning Farmer Bond Program to purchase agricultural land and make minor changes to the qualification of the program; 37 SDR 75.

11-2-2010	Social Services: Medical Programs	Amend ICF-MR/DD rules to amend definitions; update utilization review provisions; clarify that payment will not be allowed for reserved bed days; remove obsolete ICAP and on-site review requirements; and remove unnecessary and duplicative claim requirements; 37 SDR 81.
11-4-2010	Game, Fish and Parks	Amend a Park Licenses rule to eliminate the Custer State Park "per person" temporary park entrance license and extend the Custer State Park temporary motorcycle park entrance license valid during the Sturgis Motorcycle Rally into a year round license; amend Camping Permits and Rules to increase the daily camping fee in all state park area campgrounds by \$2; increase park lodge fees by \$25; increase the fee to reserve a group picnic shelter from \$9 to \$20; and change the campground designation at West Bend and Randall Creek from modern to preferred based on campground occupancy rates; amend General Provisions (Fishing Seasons and Methods) rules to update the definition of the "Black Hills Trout Management Area;" add a nonresident youth fishing license and game fish spearing and archery certification permit and establish the fee for each; standardize ice fishing shelter removal dates statewide by aligning the date with the end of the spearing season; and authorize liberalized taking of lake herring along with smelt in the Missouri River and its impoundments and transfer this rule from the chapter on fish limits to the general provisions chapter; amend Fish Limits rules to standardize panfish limits statewide; change daily and possession limits for yellow perch on South Dakota-Minnesota boundary waters to be consistent with South Dakota inland water changes and Minnesota border water regulations; and transfer the rule authorizing liberalized take of smelt from the fish limits rule to the general provisions rule and remove the rule which establishes special management waters for panfish; amend Spearing rules to change spearing dates for rough fish to allow spearing year round; change spearing dates for rough fish in South Dakota-Minnesota boundary waters to any time of the day or

		<p>night from May 1 to the last Sunday in February, inclusive; and repeal the special rule pertaining to spearing of rough fish in certain northeastern South Dakota counties; amend a Hoop Nets and Setlines rule to remove toads as authorized bait for setlines and make leopard frogs the only authorized species of frogs that may be used as bait on tagged setlines; amend Bait rules to change the expiration date for bait dealer licenses to January 31 of the calendar year directly following the year for which the license was issued; add Interstate Lake to the list of waters closed to commercial taking of bait; and establish the physical location where bait dealers are required to keep their bait records available for inspection by department personnel; and amend Private Fish Hatcheries rules to add language giving the department flexibility to exempt newly created waters under private fish hatchery licenses from payment of the one-time inspection fee; change the expiration date for private hatchery licenses to January 31 of the calendar year directly following the year for which the license was issued; establish the physical location where private hatchery licenses are required to keep their hatchery records available for inspection by department personnel; and add rule language which specifies when payments are due for fish health inspections; 37 SDR 81.</p>
11-17-2010	Attorney General: Law Enforcement Officers Standards and Training Commission	Adopt rules to establish a county coroner training program; 37 SDR 67.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held Wednesday, November 17, 2010, in Room 414, Fourth Floor, of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2010 interim: December 20.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the Legislative Web site at <http://legis.state.sd.us/rules/index.aspx>.

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