



Legislative Research Council

RULES REVIEW COMMITTEE

AGENDA

Revised 4/7/2010

Representative Roger W. Hunt, Chair
Senator Jean M. Hunhoff, Vice Chair

Three hundred fourth meeting
Tuesday
April 20, 2010

Room 414
State Capitol
Pierre, South Dakota

Other DDN Site Locations:

Northern State University
1200 S. Jay St., Room Lib 117
Aberdeen, South Dakota

Department of Transportation
901 Dakota St.
Huron, South Dakota

Mitchell Technical Institute
1800 E. Spruce, Room TC 155
Mitchell, South Dakota

SD School of Mines & Technology
501 E. St. Joseph St., Room CB 108
Rapid City, South Dakota

University Center
2205 Career Ave., Room 282 S
Sioux Falls, South Dakota

Department of Transportation
1306 W. 31st St.
Yankton, South Dakota

**Agencies are asked to have a representative present at the meeting
to give background information on their rules.**

1: 00 p.m. CDT Call to order, roll call, approval of minutes, staff report
12:00 noon MDT

Review of proposed rules

Senator Hundstad

Department of Revenue and Regulation: Division of Insurance – Amend Producer Licensing rules to repeal continuing education requirements that are specific to new licensees, delete unnecessary provisions pertaining to instructor CEC hours, include requirements regarding new qualifications, and clarify certain CE hours; and amend Individual Plans, Employer Plans, and Health Insurance Risk Pool rules to define a Children's Health Insurance Program as creditable coverage.

Department of Revenue and Regulation: South Dakota Lottery Commission - Adopt rules to offer the Mega Millions game with the Megaplier option and establish the parameters for the game.

Department of Transportation - Amend a speed zone in Custer County on US Highway 16 from 11.5 miles east of the South Dakota – Wyoming border, then easterly for 3.5 miles to 35 mph; and amend a speed zone in Harding County on US Highway 85 through the town of Ludlow to 55 mph.

Department of Agriculture: Board of Veterinary Medical Examiners - Amend Licensure Requirements rules to state in rule the application fee is \$75, the license by endorsement fee is \$25, the veterinary technician registering fee is \$20, the renewal fee for a veterinarian's license is \$100 biennially and that there is a \$50 late fee for renewals after July first.

Representative Lust

Attorney General: Law Enforcement Officers Standards and Training Commission - Amend a rule to provide for the issuance of a certificate to a canine team upon completion of certification standards and repeal a rule to clarify the Commission's decision on only accepting authorized individuals into training programs.

Department of Education: Board of Education - Amend a postsecondary program rule to develop an equitable distribution of state funds for the Technical Institutes; and amend certification rules to reflect certification practices and clarify current language, and create new technology endorsements for individuals to add to their current certification.

Senator Vehle

Department of Game, Fish and Parks - Amend Public Water Zoning rules to repeal the "no motors over 25 h. p. zone" on Putney Slough Game Production Area (Brown County); repeal the "no motors over 8 h. p. zone" on the waters of Blythe Slough (Codington County); and establish a "no motors zone" and "no swimming zone" on the waters of Family Park (Minnehaha County); amend Refuges rules to remove portions of the current refuge designation for the Chamberlain State Waterfowl Refuge and create two separate state waterfowl refuges; and remove the entire refuge designations of the Elm Creek, Buryanek, and Platte State Waterfowl Refuges; amend Special Buck Licenses rules to increase East River resident special buck licenses from 400 to 500 licenses; make available the opportunity to purchase a preference point for the West River Special Any Deer License by establishing a unit with no licenses (WSD-ZZ1); and make available the opportunity to purchase a preference point for the East River Special Any Deer License by establishing a unit with no licenses (ESD-ZZ1); and amend Raptors rules to adopt by reference the new federal regulations as promulgated by the U.S. Fish and Wildlife Service in 50 C.F.R. Part 21 thereby making the falconry standards in South Dakota the same as the federal regulations. This recommendation would change the current falconry program by revising the take season for the trapping of passage raptors from between September 21 and January 31 to between August 1 and March 31 (eyas may be taken between May 1 and July 31), and all administrative duties

and permitting now will be the responsibility of the Wildlife Division; applications and permits will no longer have to be approved by the U.S. Fish & Wildlife Service.

Committee Discussion

Senate Bill 155 – An Act to revise the rules promulgation process for administrative rules with a financial impact upon political subdivisions of state government.

3:00 p.m. CST Adjourn

Members: Senators Jean M. Hunhoff, Jim Hundstad, and Mike Vehle; and Representatives Roger W. Hunt, Peggy Gibson, and David Lust.

NOTE: *Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605/773-3251) in advance of the meeting to make any necessary arrangements.*



All Legislative Research Council committee minutes and agendas are available on the South Dakota Legislature's Homepage (<http://legis.state.sd.us>). Subscribe to receive electronic notification of meeting schedules and the availability of agendas and minutes at **MyLRC** (<http://legis.state.sd.us/mylrc/index.aspx>).