



SOUTH DAKOTA REGISTER

Published weekly by the Legislative Research Council

Volume 46

Monday, 8:00 a.m., March 2, 2020

FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

Notice of Proposed Rules

Date in parentheses indicates when rules were filed with the Legislative Research Council. Copies of proposed rules may be obtained for no charge at <https://rules.sd.gov> or from the agency directly.

South Dakota State Library Board (Department of Education): (February 26, 2020) intends to amend rules to update fees charged to library users who damage or lose state library materials. The general authority for these rules, as cited by the board, is SDCL 14-1-59(2).

A public hearing will be held at the Sturgis Public Library, 1040 Harley-Davidson Way #101, Sturgis, South Dakota, on May 7, 2020, at 1:30 p.m. MT. Copies of the proposed rules may be obtained without charge from Ferne Haddock, South Dakota Department of Education, 800 Governors Drive, Pierre, South Dakota 57501. Written comments may be sent to Brenda Hemmelman, South Dakota Department of Education, 800 Governors Drive, Pierre, South Dakota 57501, or electronically at rules.sd.gov or Brenda.hemmelman@state.sd.us. Material sent by mail or electronically must reach the department on or before May 1, 2020, to be considered. This hearing is being held in a physically accessible location. Persons with special needs for which the department can make arrangements may call (605) 773-5055 at least 48 hours before the public hearing.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Executive Appointments

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeding</u>	<u>Effective/End Date</u>
Board of Pardons and Paroles Peter Lieberman Sioux Falls	Governor	Mark Smith	2/6/2020 – 1/20/2024

UNIFIED JUDICIAL SYSTEM

Supreme Court Special Rules Hearing

Special Rules Hearing No. 141: The South Dakota Supreme Court on February 11, 2020, considered petitions for amendments to existing South Dakota Codified Laws. The Court approved amendments as proposed to SDCL 15-15-4 and SDCL 15-12-33.

SCHEDULED PUBLIC HEARINGS

3-5-2020	Department of Game, Fish and Parks : Amend rules to eliminate unnecessary language; amend form and style; update authorities; amend language for the purposes of consistency; repeal 41:06:04:16, 41:06:11:02, 41:06:14:05, 41:06:15:04, 41:06:17:02, 41:06:34:02, 41:06:35:02, 41:06:39:02, 41:06:40:02, 41:06:41:05, 41:06:42:03, 41:06:47:05, 41:06:49:02, 41:06:60:03, and 41:07:02:05; consolidate rules; eliminate a public swimming area on Mina Lake; eliminate the no wake zone on Lake Norden; modify the endemic area by adding additional deer and elk hunting units; allow for the use of rifles to hunt turkeys in West River on private land; move the rifle restriction to ARSD 41:06:04:12; alter the start date for the low plains middle and north zones duck hunting season; decrease the daily bag limit of scaup ducks from three to one; create a nonresident East River special "any whitetail deer" license; increase the total "any elk" and "antlerless elk" in the Black Hills hunting season; modify the total number of "any elk" licenses for the Custer State Park elk hunting season and early archery elk hunting season; modify the total number of "any elk" and "antlerless elk" licenses available for the archery elk hunting season; modify the start date for the youth waterfowl hunting season; create two additional bighorn sheep units; modify the number of "any elk" and "antlerless elk" licenses issued during the prairie elk hunting season; add a new prairie elk unit and establish hunting dates; and restrict the taking one flathead catfish over 28 inches to one per day per person; 46 SDR 99, February 18, 2020.
3-6-2020	South Dakota Board of Examiners in Optometry (Department of Health) : Amend rules to clarify existing language for release of prescriptions; establish and clarify the process for license renewal and late renewal fees; update and clean up continuing education requirements and documentation; revise requirements of notification of change in professional corporation membership; and add one CPT code to clinical procedures approved for optometrists; 46 SDR 93, January 27, 2020.
3-11-2020	Department of Revenue : (February 18, 2020) intends to amend rules relating to issuance of physical disability placards to permit certification of physical disability by nurse practitioners; 46 SDR 103, February 24, 2020.
3-12-2020	Board of Medical and Osteopathic Examiners (Department of Health) : Amend rules for the general application requirements regarding an applicant's condition related to their ability to practice; 46 SDR 99, February 18, 2020.
3-16-2020	South Dakota Board of Education Standards (Department of Education) : Amend rules to accurately reflect the federal Individuals with Disabilities Education Act (IDEA) rules amended by Every Student Succeeds Act (ESSA) and correct the definition of preschool age and preschool program to align with the IDEA preschool age; 46 SDR 97, February 6, 2020.
4-23-2020	South Dakota State Historical Society (Department of Education) : Amend rules to set standard fees for services provided by the State Historical Society; 46 SDR 93, January 27, 2020.
5-7-2020	South Dakota State Library Board (Department of Education) : Amend rules to update fees charged to library users who damage or lose state library materials; 46 SDR 105, March 2, 2020.

RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee has completed its meeting schedule for the 2019 Interim. Watch for notices of 2020 meetings in this publication, on the [LRC website](#), and at the Capitol.

The Drafting Manual for Administrative Rules in South Dakota is available on the [Administrative Rules Manual page](#) of the LRC website.

The **South Dakota Register**, ISSN 0191-1104, is published by the South Dakota Legislative Research Council pursuant to SDCL 1-26A-1. Information from the Register is available free of charge on the LRC website (www.sdlegislature.gov/). You may subscribe for electronic delivery of the **South Dakota Register** at [My LRC](#) on the LRC website.