

# REGISTER

*South Dakota Legislative Research Council*



*Volume 32*

*Monday, 8:00 a.m., December 19, 2005*

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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:***

(December 15, 2005) intends to amend the Spring Wild Turkey Hunting Season by establishing the number and types of licenses and tags available in the applicable new, modified, and existing hunting Units; establishing new hunting units and their applicable season dates and hunting restrictions; opening Turner County to archery hunting in the statewide archery turkey hunting Unit; closing the counties of Hamlin and Hand to archery hunting in the statewide archery turkey hunting Unit; and repealing certain season closures and firearm restrictions in state parks and recreation areas which are contained in the hunting rules but are duplicative of other rules contained in rules relating to the use of firearms and bows in certain areas of the state park system. Amend Endangered and Threatened Species by removing from the list of endangered fish: Central Mudminnow (*Umbra limi*) and Trout-perch (*Percopsis omiscomaycus*); changing the status of the Sicklefin Chub (*Macrhybopsis meeki*) from a threatened fish to an endangered fish; removing from the list of endangered reptiles: Blanding's Turtle (*Emydoidea blandingii*); and adding a new section of threatened invertebrates: Dakota Skipper (*Hesperia dacotae*). Amend Turtles by imposing certain prohibitions on the buying, selling, bartering, and trading of turtles, and imposing certain out of state exportation restrictions on intended uses of turtles and providing an exemption therefore. Amend Waters Open to Taking of Bait and Biological Specimens by closing all state waters to the harvest of mollusks, western painted turtles, and snapping

turtles for commercial purposes except by permit and providing for the imposition of restrictions to be provided in the permit. The general authority for these rules, as cited by the department, is SDCL 34A-8-3, 41-2-18, and 41-11-5.

A public hearing will be held at the Ramkota River Centre, Pierre, South Dakota, on January 5, 2006, 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 by and in the office of the Secretary of the Department of Game, Fish and Parks on or before 12:00 Noon on the day prior to the date of the hearing to be included within the record of the public hearing and to be considered by the Commission. 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. 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) 773-3387 before the hearing.

**FILINGS IN THE SECRETARY OF STATES OFFICE:**

**ATTORNEY GENERAL: LAW ENFORCEMENT OFFICERS STANDARDS AND TRAINING COMMISSION: 20:01:06:03.**

History-Notice: 32 SDR 63, October 17, 2005  
Hearing: November 16, 2005

Filed: December 14, 2005  
Effective: January 3, 2006

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

1-5-2006	Game, Fish and Parks	<p>Amend the Spring Wild Turkey Hunting Season by establishing the number and types of licenses and tags available in the applicable new, modified, and existing hunting Units; establishing new hunting units and their applicable season dates and hunting restrictions; opening Turner County to archery hunting in the statewide archery turkey hunting Unit; closing the counties of Hamlin and Hand to archery hunting in the statewide archery turkey hunting Unit; and repealing certain season closures and firearm restrictions in state parks and recreation areas which are contained in the hunting rules but are duplicative of other rules contained in rules relating to the use of firearms and bows in certain areas of the state park system. Amend Endangered and Threatened Species by removing from the list of endangered fish: Central Mudminnow (<i>Umbra limi</i>) and Trout-perch (<i>Percopsis omiscomaycus</i>); changing the status of the Sicklefin Chub (<i>Macrhybopsis meeki</i>) from a threatened fish to an endangered fish; removing from the list of endangered reptiles: Blanding's Turtle (<i>Emydoidea blandingii</i>); and adding a new section of threatened invertebrates: Dakota Skipper (<i>Hesperia dacotae</i>). Amend Turtles by imposing certain prohibitions on the buying, selling, bartering, and trading of turtles, and imposing certain out of state exportation restrictions on intended uses of turtles and providing an exemption therefore. Amend Waters Open to Taking of Bait and Biological Specimens by closing all state waters to the harvest of mollusks, western painted turtles, and snapping turtles for commercial purposes except by permit and providing for the imposition of restrictions to</p>
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		be provided in the permit; 32 SDR 113.
1-6-2006	Health: Board of Dentistry	Repeal the requirement for a written work order being prepared for dental work orders; amend the continuing education requirements for the one-hour radiology course required each year to require the completion of five hours of education in a five-year period; and amend rules to allow dental assistants to administer nitrous oxide; 32 SDR 105.

### Rules Review Committee Meetings

The last meeting of the Interim Rules Review Committee will be held Monday, January 9, 2006, in Room 413 of the State Capitol.

**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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