



# SOUTH DAKOTA REGISTER

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## FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

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### Notice of Proposed Rules

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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.

**Department of Game, Fish and Parks:** (April 16, 2020) intends to amend rules to make an allowance for an additional single-tag "antlerless any deer" license that would be distributed amongst all municipal archery deer hunting units; create new units for municipal archery deer hunting within city limits of certain cities; modify the start date for the Lacreek National Refuge and Sand Lake National Wildlife Refuge archery deer seasons; modify the age requirement for who would qualify for the youth waterfowl hunting season; modify the dates from "five consecutive days beginning on the first Saturday of October" to "9 consecutive days beginning 21 days prior to the third Saturday of October" for the special youth pheasant hunting season; limit the harvest of flathead catfish 20 inches or longer to one fish as part of the daily limit; and remove the River Otter from the list of threatened mammals. The general authority for these rules, as cited by the department, is SDCL 34A-8-3 and 41-2-18.

A public hearing will be held via teleconference on May 7, 2020, at 2:00 p.m. CT. Interested parties may attend by calling 1-866-410-8397 and using conference code 5451787643#. Copies of the proposed rules may be obtained without charge from and written comments sent to the Secretary of the Department of Game, Fish and Parks, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501. Comments may also be submitted at <http://gfp.sd.gov/forms/positions>. All written and email comments must include the name, city, and state of the person submitting them. The comment period will close 72 hours prior to the date of the hearing. This hearing is being held in a physically accessible location. Persons with special needs for which the department can make arrangements may call (605) 773-3718 or (605) 223-7684 (Telecommunication Device for the Deaf) at least 48 hours before the public hearing.

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## FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

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### Final Administrative Rules

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**CORRECTION:** In the April 14, 2020, edition of the Register, the effective date for final rules filed by the Department of Game, Fish and Parks on April 9, 2020, was incorrectly noted as April 29, 2019. The correct effective date is April 29, 2020.

**SOUTH DAKOTA BOARD OF EXAMINERS IN OPTOMETRY (DEPARTMENT OF HEALTH):** 20:50:02:04.03, 20:50:02:06, 20:50:02:08; 20:50:04:06; 20:50:08:02, 20:50:08:02.01, 20:50:08:04; 20:50:10:03; 20:50:11:02; 20:50:04 Appendix A.

**History/Notice:** 46 SDR 93, January 27, 2020

**Hearing:** March 6, 2020

**Filed:** April 14, 2020

**Effective:** May 4, 2020

**BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS (DEPARTMENT OF HEALTH):** 20:47:03:03.

**History/Notice:** 46 SDR 99, February 18, 2020

**Hearing:** March 12, 2020

**Filed:** April 15, 2020

**Effective:** May 5, 2020

Executive Orders

Governor Noem has signed [Executive Order 2020-16](#), dated April 15, 2020, which removes the barrier to licensure for healthcare professionals, facilitates telehealth, and relaxes other regulations in response to the COVID-19 pandemic.

Executive Appointments

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeding</u>	<u>Effective/End Date</u>
<b>Transportation Commission</b> Ronald D. Rosenboom Sturgis	Governor	Reappointed	4/19/2020 – 4/18/2024
<b>Transportation Commission</b> Mike Vehle Mitchell	Governor	Reappointed	4/19/2020 – 4/18/2024

**UNIFIED JUDICIAL SYSTEM**

Orders Related to COVID-19

[Unified Judicial System COVID-19 Response:](#) The South Dakota Supreme Court on April 14, 2020, amended the [emergency order](#) issued April 9, 2020, affecting court reporters, witnesses, and notaries as they perform certain duties while practicing "social distancing" as required under the current COVID-19 guidance.

**SCHEDULED PUBLIC HEARINGS**

<b>4-30-2020</b>	<a href="#">South Dakota Weed &amp; Pest Control Commission (Department of Agriculture):</a> Amend rules to add absinth wormwood to the statewide noxious weed list and remove Russian knapweed from the same list; 46 SDR 114, April 6, 2020.
<b>5-7-2020</b>	<a href="#">Department of Game, Fish and Parks:</a> (April 16, 2020) intends to amend rules to make an allowance for an additional single-tag "antlerless any deer" license that would be distributed amongst all municipal archery deer hunting units; create new units for municipal archery deer hunting within city limits of certain cities; modify the start date for the Lacreek National Refuge and Sand Lake National Wildlife Refuge archery deer seasons; modify the age requirement for who would qualify for the youth waterfowl hunting season; modify the dates from "five consecutive days beginning on the first Saturday of October" to "9 consecutive days beginning 21 days prior to the third Saturday of October" for the special youth pheasant hunting season; limit the harvest of flathead catfish 20 inches or longer to one fish as part of the daily limit; and remove the River Otter from the list of threatened mammals; 46 SDR 119, April 20, 2020.
<b>5-7-2020</b>	<a href="#">South Dakota Board of Accountancy (Department of Labor &amp; Regulation):</a> Amend rules to update references and language to allow for CPA exam candidates to have continuous testing; 46 SDR 116, April 14, 2020.

<b>5-7-2020</b>	<a href="#">South Dakota State Library Board (Department of Education)</a> : Amend rules to update fees charged to library users who damage or lose state library materials; 46 SDR 105, March 2, 2020.
<b>5-11-2020</b>	<a href="#">South Dakota Board of Education Standards (Department of Education)</a> : 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.
<b>6-19-2020</b>	<a href="#">South Dakota State Historical Society (Department of Education)</a> : Amend rules to set standard fees for services provided by the State Historical Society; 46 SDR 93, January 27, 2020.

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### RULES REVIEW COMMITTEE MEETINGS

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The next meeting of the Interim Rules Review Committee for the 2020 Interim is Tuesday, May 5, 2020, at 10:00 a.m. via electronic conference with limited public access in Room 414 of the Capitol. Future meetings for the 2020 Interim are scheduled for June 9, July 14, August 18, September 15, and November 10.

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 and will be updated regularly to reflect changes in drafting styles and procedures.