



SOUTH DAKOTA REGISTER

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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.

Department of Revenue: (August 31, 2020) intends to amend rules to eliminate specific courses listed in current rule and replace the list with a general requirement that individuals complete courses as required; create an individual rule for temporary certification requirements; create an individual rule for permanent certification requirements; create a single rule for similarly situated individuals who currently face different options or criteria for certification, define both groups under a single term, and eliminate unnecessary definitions; update outdated or incorrect language; correct citations within the rules; eliminate redundant or obsolete rules; replace the existing workshop requirement with a continuing education hours requirement; establish uniform language for the statutorily required taxpayer relief information on each notice of assessment; establish the data required and deadline for submission of information to the department to be used to oversee, advise, and audit the work of county officials; eliminate certain provisions required for certificate of value forms; allow counties using a permitted CAMA system to prepare information for property cards; eliminate two redundant abstract classes; allow counties to provide certain notices in formats other than by mail; eliminate an unnecessary reporting requirement; and transfer existing rules for organizational purposes. The general authority for these rules, as cited by the board, is SDCL 7-9-7.2, 10-1-15, 10-1-16, 10-1-16.1, 10-1-17, 10-1-18, 10-3-1.2, 10-6-33.13, 10-6-50, and 10-10-6.

A public hearing will be held virtually on September 22, 2020, at 10:00 a.m. CT. Interested parties may attend through the [Zoom link](#) or by calling (312) 626-6799. The meeting ID is 971 3190 1655 and the passcode is 572082. A link to the hearing is also available at <https://dor.sd.gov/calendar>. Copies of the proposed rules may be obtained without charge from and written comments sent to South Dakota Department of Revenue, Legal Division, Anderson Building, 445 East Capitol Avenue, Pierre, South Dakota 57501. Information submitted by mail must be received on or before October 6, 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) 773-6314 at least 48 hours prior to the hearing.

South Dakota Athletic Commission (Department of Labor and Regulation): (September 2, 2020) intends to amend rules to reduce the percentage of gross revenue from an event used to determine the final contest fee for a boxing, kickboxing or mixed martial arts event; cap the event fee at \$300,000; and make the mixed martial arts rules of competition consistent with the unified rules of mixed martial arts regarding fouls. The general authority for these rules, as cited by the commission, is SDCL 42-12-10.

A public hearing will be held virtually on October 2, 2020, at 12:00 p.m. CT. Interested parties may attend through the [Zoom link](#) or by calling (312) 626-6799. The meeting ID is 897 9248 8365 and the passcode is 013018. Copies of the proposed rules may be obtained without charge from and written comments sent to South Dakota Athletic Commission, P.O. Box 340, Pierre, South Dakota 57501. Comments may also be emailed to sdac@midwestsolutionsd.com. Information submitted by mail must be received on or before October 1, 2020, to be considered. This hearing is being held in a physically accessible location. Persons with special needs for which the commission can make arrangements may call (605) 224-1721 or (800) 877-1113 (Telecommunication Relay Services for the Deaf) at least 48 hours prior to the hearing.

Petition for Rules

The **Department of Game, Fish and Parks** on September 1, 2020, served petitions to amend administrative rules regarding the trapping dates for the beaver trapping season; the addition of the lake chub to the endangered fish list; and the addition of the sage grouse to the endangered birds list. The [Game, Fish and Parks Commission](#) reviewed the petitions at its September 2-3, 2020, meeting.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Executive Orders

Governor Noem has signed [Executive Order 2020-32](#) to raise awareness about the importance of participating in the 2020 Census. The Order, dated August 31, 2020, establishes the South Dakota Complete Census Committee and authorizes it to ensure that South Dakota residents are appropriately counted in the 2020 Census, which concludes on September 30, 2020.

Executive Appointments

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeding</u>	<u>Effective/End Date</u>
Mental Health Oversight Council			
Kara Semmler Pierre	Governor	Tom Hart	8/21/2020

SCHEDULED PUBLIC HEARINGS

9-18-2020	Board of Technical Professions (Department of Labor and Regulation) : Amend rules to allow applicants for architect and landscape architect licenses to apply for exams directly with the organization that administers those exams; reduce barriers for out-of-state licensees to become licensed in the state; and update the way professional development hours are logged and audited; 47 SDR 27, August 31, 2020.
9-21-2020	South Dakota Board of Education Standards (Department of Education) : Update certification rules to accurately reflect recent changes to state statute; create a new educator permit; and update existing rules to address identified barriers; 47 SDR 17, August 10, 2020.
9-22-2020	Department of Revenue : Amend rules to eliminate specific courses listed in current rule and replace the list with a general requirement that individuals complete courses as required; create an individual rule for temporary certification requirements; create an individual rule for permanent certification requirements; create a single rule for similarly situated individuals who currently face different options or criteria for certification, define both groups under a single term, and eliminate unnecessary definitions; update outdated or incorrect language; correct citations within the rules; eliminate redundant or obsolete rules; replace the existing workshop requirement with a continuing education hours requirement; establish uniform language for the statutorily required taxpayer relief information on each notice of assessment; establish the data required and deadline for submission of information to the department to be used to oversee, advise, and audit the work of county officials; eliminate certain provisions required for certificate of value forms; allow counties using a permitted CAMA system to prepare information for property cards; eliminate two redundant abstract classes; allow counties to provide certain notices in formats other than by mail; eliminate an unnecessary reporting requirement; and transfer existing rules for organizational purposes; 47 SDR 30, September 8, 2020.

9-24-2020	South Dakota Board of Nursing (Department of Health) : Implement rules to clarify the practice of a certified registered nurse anesthetist (CRNA); describe the act of prescribing by a CRNA; identify the action that may be taken for inappropriate prescribing practices; specify the guidelines for prescribing controlled substances for the treatment of chronic, non-cancer pain; list the documentation standards to be maintained; clarify that CRNAs may order, interpret, and supervise radiographic procedures, including fluoroscopy; and specify pain management procedures that may be performed by CRNAs and require education; 47 SDR 20, August 17, 2020.
9-28-2020	Board of Technical Professions (Department of Labor and Regulation) : Amend rules to allow applicants for architect and landscape architect licenses to apply for exams directly with the organization that administers those exams; reduce barriers for out-of-state licensees to become licensed in the state; and update the way professional development hours are logged and audited; 47 SDR 27, August 31, 2020.
10-2-2020	South Dakota Athletic Commission (Department of Labor and Regulation) : Amend rules to reduce the percentage of gross revenue from an event used to determine the final contest fee for a boxing, kickboxing or mixed martial arts event; cap the event fee at \$300,000; and make the mixed martial arts rules of competition consistent with the unified rules of mixed martial arts regarding fouls; 47 SDR 30, September 8, 2020.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2020 Interim is Tuesday, September 15, 2020, at 9:00 a.m. via electronic conference with limited public access in Room 414 of the Capitol. The final meeting for the 2020 Interim is scheduled for 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.