

Interim Committee Minutes

Interim Rules Review Committee

The four hundred forty-fifth meeting of the Interim Rules Review Committee was called to order by Senator Taffy Howard, Vice Chair, at 10:00 AM (CT) on September 9, 2026, in Room 414 of the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members answering roll call: Rep. DeGroot, Rep. Hansen, Chair (remote), Rep. Muckey (remote), Sen. Howard, Sen. Larson (remote), and Sen. Mehlhaff.

Staff members present included Justin Goetz, Code Counsel; Kelly Thompson, Senior Legislative Editor; and Dilyn Tramp, IT Support Specialist.

NOTE: For the purpose of continuity, the following minutes are not necessarily in chronological order. All referenced documents distributed at the meeting are hyperlinked to the document on the Legislative Research Council website. This meeting was live streamed. Each section contains a hyperlink to the time stamp pertaining to that item in the archived live stream available at sdlegislature.gov.

Approval of Minutes

Senator Mehlhaff moved, seconded by Representative DeGroot, to approve the minutes of the [August 18, 2026](#), Interim Rules Review Committee meeting. The motion prevailed on a unanimous voice vote. [\(0:49\)](#)

Rules Reviewed

South Dakota Animal Industry Board (Department of Agriculture and Natural Resources):

Amend rules to:

- Update definitions to more accurately reflect current terminology;
- Modernize the language of reference material; and
- Add municipal or other permitted solid waste landfills as facilities at which certain animal carcasses may be disposed of, to reflect current practice.

Dr. Mendel Miller, Department of Agriculture and Natural Resources, reviewed the proposed rules. [\(2:00\)](#)

Representative Hansen asked if carcasses were already being dumped at local landfills despite the lack of a rule authorizing the dumping and how the smells caused by such action were regulated. Dr. Miller explained that landfills are currently able to accept carcasses under local ordinances; the proposed rules would extend that approval to the state level. The smells caused by such dumping are subject to local ordinance. [\(3:36\)](#)

Representative DeGroot moved, seconded by Senator Mehlhaff, that the review of the rules proposed by the South Dakota Animal Industry Board (Department of Agriculture and Natural Resources) is complete. The motion prevailed on a roll call vote with 6 AYES. Voting AYE: Rep. DeGroot, Sen. Larson, Sen. Mehlhaff, Rep. Muckey, Sen. Howard, and Rep. Hansen. [\(6:10\)](#)

South Dakota State Board of Addiction and Prevention Professionals (Department of Social Services): Adopt, repeal, and transfer rules to:

- Set the education, work experience, supervision, and examination requirements for peer support services;
- Update the education, work experience, supervision, and examination requirements for addiction counseling and prevention services;
- Establish the requirements of board-approved supervision to meet the requirements for the board to certify or license providers of peer support, addiction counseling, and prevention services;
- Set the standards for renewal of a recognition, certification, or license issued by the board; and
- Clarify the standards for providing services through electronic means.

Mr. Greg Tishkoff, Department of Social Services, reviewed the proposed rules which were prompted by the passage of House Bill 1029 by the 2026 South Dakota Legislature. [\(7:41\)](#)

Public Testimony

Mr. Terry Dosch, South Dakota Council of Community Behavioral Health, Inc., spoke in support of the proposed changes, saying they legitimize the role of peer support specialists and increase the quality of care available to the public. He noted that the members of his organization were heavily involved in the process of drafting the rules and will be strongly impacted by their passage. [\(14:37\)](#)

Senator Mehlhaff moved, seconded by Representative DeGroot, that the review of the rules proposed by the South Dakota State Board of Addiction and Prevention Professionals (Department of Social Services) is complete. The motion prevailed on a roll call vote with 6 AYES. Voting AYE: Rep. DeGroot, Sen. Larson, Sen. Mehlhaff, Rep. Muckey, Sen. Howard, and Rep. Hansen. (18:10)

Department of Social Services: Amend rules to:

- Add a definition of licensed marriage and family therapist working toward a mental health designation to align with prior statutory changes regarding the Board of Addiction and Prevention Professionals;
- Clarify current coverage and program requirements; and
- Ensure the state's program is compliant with federal regulations.

Mr. Greg Tishkoff, Department of Social Services, reviewed the proposed rules. [\(19:15\)](#)

Public Testimony

Mr. Dosch, in his previous comments, stated that his organization was also supportive of the other proposed rules being presented today by the Department of Social Services.

Representative Muckey moved, seconded by Senator Mehlhaff, that the review of the rules proposed by the Department of Social Services is complete. The motion prevailed on a roll call vote with 6 AYES. Voting AYE: Rep. DeGroot, Sen. Larson, Sen. Mehlhaff, Rep. Muckey, Sen. Howard, and Rep. Hansen. (22:47)

Department of Social Services: Amend rules to add the term "addiction counselor supervisee" throughout Article 67:61 to align with the larger rules package being brought by the Board of Addiction and Prevention Professionals.

Mr. Greg Tishkoff, Department of Social Services, reviewed the proposed rules which align Article 67:61 with the Board of Addiction and Prevention Professionals' rules approved by the committee earlier today. [\(23:43\)](#)

Representative DeGroot moved, seconded by Representative Muckey, that the review of the rules proposed by the Department of Social Services is complete. The motion prevailed on a roll call vote with 6 AYES. Voting AYE: Rep. DeGroot, Sen. Larson, Sen. Mehlhaff, Rep. Muckey, Sen. Howard, and Rep. Hansen. (25:59)

Department of Game, Fish and Parks: Amend rules to allow transportation of birds prior to tagging and delay tagging of birds until the birds are cleaned to prevent contamination.

Mr. Tom Kirschenmann, Department of Game, Fish and Parks, reviewed the proposed rules which were the result of a public petition from the private shooting preserves industry. [\(27:29\)](#)

Senator Mehlhaff asked how the bird tags are used and whether department personnel go to the processing plants to ensure compliance. Mr. Kirschenmann replied that each private shooting preserve is issued a set number of tags which are used to track the number of birds harvested on that specific preserve and described how personnel inspect processing plants and the preserves to review tags. [\(32:15\)](#)

Responding to Representative DeGroot on how the tag follows a specific bird, Mr. Kirschenmann explained that the bird is fitted with a tag to the leg when it is harvested on the preserve then at the processing plant, the leg is cut off, and the tag is removed and put with the bird when it is bagged. [\(35:46\)](#)

Senator Mehlhaff moved, seconded by Senator Howard, that the review of the rules proposed by the Department of Game, Fish and Parks is complete. The motion prevailed on a roll call vote with 6 AYES. Voting AYE: Rep. DeGroot, Sen. Larson, Sen. Mehlhaff, Rep. Muckey, Sen. Howard, and Rep. Hansen. (36:51)

Department of Game, Fish and Parks: Amend rules to:

- Allow an individual to harvest a velvet antlered deer or elk;
- Remove references to federal property closures;
- Separate PST-22A into county-specific spring turkey hunting units for Day and Codington counties;
- Remove weapon limitations in all units except for Minnehaha County; and
- Align all prairie units for spring turkey and fall turkey.

Mr. Tom Kirschenmann, Department of Game, Fish and Parks, reviewed the proposed rules. [\(38:09\)](#)

Senator Howard moved, seconded by Senator Larson, that the review of the rules proposed by the Department of Game, Fish and Parks is complete. The motion prevailed on a roll call vote with 6 AYES. Voting AYE: Rep. DeGroot, Sen. Larson, Sen. Mehlhaff, Rep. Muckey, Sen. Howard, and Rep. Hansen. (41:49)

South Dakota Transportation Commission (Department of Transportation): Amend a rule to change speed limits on various highway segments in Union County and eliminate speed limit rule provisions that are no longer needed.

Ms. Karla Engle, Department of Transportation, reviewed the proposed rule. [\(43:12\)](#)

Senator Howard inquired as to whether there was any opposition from neighbors or residents to the proposed speed limit change. Ms. Engle responded no.

Representative DeGroot asked how a change like the one proposed in the rule gets started. Ms. Engle said such changes are initially brought by regular citizens, law enforcement, or local governments who are then referred to traffic engineers within the department who conduct a study to determine whether data supports the need for the speed limit change. [\(49:54\)](#)

Senator Howard moved, seconded by Senator Larson, that the review of the rule proposed by the South Dakota Transportation Commission (Department of Transportation) is complete. The motion prevailed on a roll call vote with 6 AYES. Voting AYE: Rep. DeGroot, Sen. Larson, Sen. Mehlhaff, Rep. Muckey, Sen. Howard, and Rep. Hansen. (50:45)

Appraiser Certification Program (Department of Labor and Regulation): Amend rules to:

- Make appraisers certified by reciprocity subject to the continuing education requirements;
- Allow for the approval of the eight-hour valuation bias and fair housing course as qualifying education;
- Align course approval terms to the relevant delivery mechanism certification;
- Allow flexibility for approval of seminar-type continuing education courses;
- Clarify what types of discipline owners of appraisal management companies (AMCs) are required to disclose on an AMC application; and
- Clarify change of ownership obligations for AMCs.

Ms. Katlynn Gustafson, Appraiser Certification Program, reviewed the proposed rules which are designed to improve clarity and consistency, and ensure compliance with the federal process. [\(53:02\)](#)

Senator Mehlhaff asked if reciprocity is a new practice or has always been a part of the process. Ms. Gustafson replied that it has always been available; the rule change is just clarification based on what the federal government requested. [\(54:36\)](#)

Representative Muckey moved, seconded by Senator Howard, that the review of the rules proposed by the Appraiser Certification Program (Department of Labor and Regulation) is complete. The motion prevailed on a roll call vote with 6 AYES. Voting AYE: Rep. DeGroot, Sen. Larson, Sen. Mehlhaff, Rep. Muckey, Sen. Howard, and Rep. Hansen. (55:18)

Staff Report

Mr. Justin Goetz, Code Counsel, announced the creation of the Code Counsel division within LRC. Two FTEs were appropriated for new positions within the division, including a Legislative Editor to be filled by Ben Vukovich, formerly a Research Analyst, and an assistant Code Counsel position to which Anna Madsen, formerly the Assistant Chief of Research, was named. The fourth member of the division will be Senior Legislative Editor Kelly Thompson. [\(56:15\)](#)

Mr. Goetz presented proposed revisions to the Form 5 - Fiscal Note which is submitted by agencies, boards, and commissions proposing rule changes. The revisions would remove references to the fiscal impact to local governments as that information is now submitted on Form 14 - Regulatory Impact Analysis. The proposed changes were reviewed and approved by the Bureau of Finance and Management, which also receives the Form 5. [\(57:53\)](#)

Senator Mehlhaff acknowledged the great work done by the LRC staff in providing pertinent and helpful information to the committee members. [\(1:00:02\)](#)

Representative Muckey moved, seconded by Senator Mehlhaff, that the revisions to Form 5 - Fiscal Note be adopted as presented. The motion prevailed on a roll call vote with 6 AYES. Voting AYE: Rep. DeGroot, Sen. Larson, Sen. Mehlhaff, Rep. Muckey, Sen. Howard, and Rep. Hansen. (59:46)

Public Comments: General Purposes

No additional public comments were received.

Closing Comments

Senator Howard, noting that there is the potential for up to eighteen proposed rule packets to be on the agenda for the October 14, 2026, meeting, asked if the October meeting should start at 9:00 a.m. instead of 10:00 a.m. (CT). Members expressed no opposition to the earlier start time. LRC staff said they would make the necessary change to the scheduled start time on the LRC website. [\(1:00:51\)](#)

Adjournment

Senator Mehlhaff moved, seconded by Representative DeGroot, that the Interim Rules Review Committee be adjourned. The motion prevailed on a unanimous voice vote. [\(1:02:02\)](#)

The Interim Rules Review Committee adjourned at 11:02 AM.(CT)