



# 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 Social Services:** (June 29, 2023) intends to amend rules to update to current child care licensing rule citations; update the department response time for an application for license or registration certification to align with the child care licensing rule; update the in-home or informal provider training requirements to align with the new child care licensing training language; and make style and form edits. The general authority for these rules, as cited by the department, is SDCL 28-1-61.

A public hearing will be held at the Department of Social Services Building, Prairie Conference Room, 811 East 10<sup>th</sup> Street, Sioux Falls, South Dakota, on July 27, 2023, at 2:00 p.m. (CT). Interested parties may also attend by calling (605) 679-7263 and using conference code 163 466 080#. Copies of the proposed rules may be obtained without charge from, and written comments may be sent to, Teresa Schulte, Administrative Rules, Department of Social Services, 811 East 10<sup>th</sup> Street, Sioux Falls, South Dakota 57103. The rules are also available online at <http://rules.sd.gov>. Comments may also be emailed to [DSSAdminRules@state.sd.us](mailto:DSSAdminRules@state.sd.us). Material sent by mail must reach the department by August 7, 2023, 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) 367-5444, extension 1000309, 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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### Executive Order

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Governor Noem has signed [Executive Order 2023-10](#), dated June 29, 2023, rescinding, effective July 1, 2023, Executive Orders 2004-08 and 2023-02. Executive Order 2004-08 established the Research and Commercialization Council to provide oversight for the division of research and commercialization under the South Dakota Department of Tourism and State Development. The Governor stated the reason for rescinding this order is that Travel South Dakota is no longer funded and has achieved its purpose. Executive Order 2023-02 prevented state funds from being used to purchase goods and services from businesses associated with China, Iran, North Korea, Russia, Cuba, and Venezuela. The Governor stated the reason for this rescission is that the order was effectively codified by the enactment of [Senate Bill 189](#), effective July 1, 2023, and the law, coupled with Executive Order 2023-06's ban on Tencent for state government devices and the requirement that the commissioner of the Bureau of Information and Telecommunications create a blacklist of similar applications dangerous to state security, made Executive Order 2023-02 no longer necessary.

**Executive Appointments**

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<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeding</u>	<u>Effective/End Date</u>
<b>American Dairy Association of South Dakota</b>			
Kimberly P. Maher Lake Norden	Governor	Reappointed	6/28/2023 – 10/30/2024
<b>Board of Certified Professional Midwives</b>			
Eudine J. Stevens Conde	Governor	Jacqueline Lopez	6/29/2023 – 10/30/2025
<b>Board of Economic Development</b>			
Donald L. Kettering Yankton	Governor	Reappointed	6/26/2023 – 4/19/2027
Bradley J. Moore Dakota Dunes	Governor	Theodore Hustead	6/27/2023 – 4/19/2027
<b>Board of Service to the Blind and Visually Impaired</b>			
Pamela Fisher Rapid City	Governor	Cheri Knispel	6/29/2023 – 6/30/2026
<b>Family Support Council</b>			
Jennifer M. Carda Tabor	Governor	Sarah Carlson	6/30/2023 – 6/30/2026
Julie A. Flowers Mitchell	Governor	Krista Bau	7/1/2023 – 6/30/2026
Joshua Jones Rapid City	Governor	Patricia Norin	7/1/2023 – 6/30/2023
Melissa F. Rickett Tea	Governor	Amber Finnesand	7/1/2023 – 6/30/2026
Tina M. Two Crow-Slow Bear Kyle	Governor	Joanne Hairy Shirt	7/1/2023 – 6/20/2023
<b>Government Accountability Board</b>			
Lawrence E. Long Sioux Falls	Governor	Lori Wilbur	6/20/2023 – 6/30/2027
<b>Hagen-Harvey Memorial Scholarship Board</b>			
Brian E. Brown Parmelee	Governor	Sherry Johnson	7/2/2023 – 6/30/2028

**Housing Development**

**Authority**

Mark S. Roby Watertown	Governor	Reappointed	7/1/2023 – 6/30/2028
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**South Dakota Advisory Council on Aging**

Justin D. Jones Sioux Falls	Governor	Carol Cameron	6/28/2023
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**South Dakota Athletic Commission**

Verle Valentine Sioux Falls	Governor	Reappointed	6/28/2023 – 6/20/2025
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**State Board of Physical Therapy**

Patti J. Berg-Poppe Sioux Falls	Governor	New Appointment	7/1/2023 – 6/30/2024
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Rebeca J. Schmitz Sioux Falls	Governor	New Appointment	7/1/2023 – 6/30/2024
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Leonard G. Suel Aberdeen	Governor	New Appointment	7/1/2023 – 6/30/2025
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Brad A. Thuringer Sioux Falls	Governor	New Appointment	7/1/2023 – 6/30/2027
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Janelle K. Toman Pierre	Governor	New Appointment	7/1/2023 – 6/30/2026
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**State Arts Council**

John Mogen Sioux Falls	Governor	Reappointed	6/29/2023 – 6/30/2023
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**State Library Board**

Kim Borsch Sturgis	Governor	Monte Loos	6/27/2023 – 10/30/2025
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**Teacher Compensation Review Board**

Joseph J. Graves Mitchell	Governor	Tiffany Sanderson	6/27/2023 – 3/1/2024
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**SCHEDULED PUBLIC HEARINGS**

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<b>7-7-2023</b>	<a href="#">South Dakota Board of Education Standards (Department of Education)</a> : Adopt a rule to require all school districts to uniformly transcribe postsecondary credits onto a student's high school transcript; 49 SDR 95, May 1, 2023.
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<b>7-11-2023</b>	<b><a href="#">South Dakota Animal Industry Board (Department of Agriculture and Natural Resources)</a></b> : Adopt and amend rules to comply with and expand upon statutory authority pertaining to confidential records held by a state agency. The board also intends to adopt a rule to specify that sales of retail meat products only occur when the producing retail store has full control of the sanitation, storage, and transportation of the meat product until purchased by the consumer. Additionally, the board seeks to amend rules regarding meat inspection; 49 SDR 117, June 12, 2023.
<b>7-12-2023</b>	<b><a href="#">Department of Health</a></b> : Amend rules to define the minimum regulations necessary to maintain the health and safety of residents living in assisted living centers; revise language; correct spelling; update references; add the definition of communicable disease; and add the ability for assisted living centers to stock naloxone for emergency use; 49 SDR 122, June 19, 2023.
<b>7-18-2023</b>	<b><a href="#">State Board of Finance (Office of the Secretary of State)</a></b> : Amend rules to define terms; repeal reimbursement limits for for-hire and private carriers; repeal allowable household moving expenses; repeal the mobile home moving expense allowance; repeal allowable travel pay in addition to moving expenses; repeal allowable storage expenses; repeal the moving allowance for professionals; repeal the authorization required for reimbursement of moving expenses for professionals; repeal requirements for application for moving expenses for professionals; amend return of transit pay allowance; and repeal allowable travel expenses for professionals; 49 SDR 122, June 19, 2023.
<b>7-18-2023</b>	<b><a href="#">Office of the State Auditor</a></b> : Repeal rules regarding receipts for mobile home moving and household moving claims; 49 SDR 129, June 26, 2023.
<b>7-20-2023</b>	<b><a href="#">Department of Agriculture</a></b> : Amend and adopt rules to update the state's existing hazardous waste rules by incorporating updated codified federal regulations adopted from July 1, 2018 through June 30, 2022, by reference; 49 SDR 109, May 30, 2023.
<b>7-21-2023</b>	<b><a href="#">South Dakota Speech-Language Pathology Board of Examiners (Department of Health)</a></b> : Amend and adopt rules to remove unnecessary barriers to licensure; update language to reflect current technology and practice; and correct references to authority and legal references; 49 SDR 110, May 30, 2023.
<b>7-27-2023</b>	<b><a href="#">Department of Social Services</a></b> : Amend rules to update to current child care licensing rule citations; update the department response time for an application for license or registration certification to align with the child care licensing rule; update the in-home or informal provider training requirements to align with the new child care licensing training language; and make style and form edits; 50 SDR 1, July 5, 2023.
<b>7-31-2023</b>	<b><a href="#">South Dakota Real Estate Commission (Department of Labor and Regulation)</a></b> : Amend rules to reestablish qualifications for the reinstated restricted broker's license for auctioneers and reinstate a prohibition against unlicensed callers and bid takers in an auction sale; 49 SDR 117, June 12, 2023.

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## RULES REVIEW COMMITTEE MEETINGS

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The next meeting of the Interim Rules Review Committee for the 2023 Interim is Tuesday, July 18, 2023, at 10:00 a.m. (CT) via electronic conference and in Room 414 of the Capitol. Future meetings for the 2023 Interim are scheduled for August 8, September 12, and November 7.

Find notices of committee 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 is updated regularly to reflect changes in drafting styles and procedures.