



SOUTH DAKOTA REGISTER

Published weekly by the Legislative Research Council

Volume 50

Monday, 8:00 a.m., July 24, 2023

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.

Professional Administrators Practices and Standards Commission (Department of Education): (July 19, 2023) intends to amend a rule to add a requirement to the code of ethics for the reporting of violations to the code. The general authority for these rules, as cited by the commission, is SDCL [13-43-45](#).

A public hearing will be held at the MacKay Building, 800 Governors Drive, Pierre, South Dakota, on August 22, 2023, at 10:00 a.m. (CT). Interested parties may participate in person or remotely by calling (346) 248-7799 or via [Zoom](#) using meeting ID 969 4669 5241 and passcode 520000. Copies of the proposed rules may be obtained without charge from South Dakota Department of Education, Attn: Ferne Haddock, 800 Governors Drive, Pierre, South Dakota 57501. Written comments may be sent to South Dakota Department of Education, Attn: Ferne Haddock, 800 Governors Drive, Pierre, South Dakota 57501; emailed to Ferne.Haddock@state.sd.us; or submitted at <https://rules.sd.gov>. Material sent by mail or email must reach the department by August 17, 2023, 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) 773-3553 at least 48 hours before the public hearing.

Petition for Rules

The **Department of Game, Fish and Parks** on July 20, 2023, served on the Interim Rules Review Committee and director of the Legislative Research Council petitions received from interested persons, per [SDCL 1-26-13](#), to amend administrative rule to allow the use of dogs to hunt mountain lions in the Black Hills ([ARSD 41:06:61:02](#)) and to create a mountain lion pursuit season ([Chapter 41:06:61](#)). The [Game, Fish and Parks Commission](#) reviewed the petitions at its July 20, 2023, meeting.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Final Administrative Rules

DEPARTMENT OF SOCIAL SERVICES: 67:16:04:33, 67:16:04:46, 67:16:04:49, 67:16:04:51, 67:16:04:52, 67:16:04:54, 67:16:04:60, 67:16:04:62; 67:45:03:01, 67:45:03:02, 67:45:03:03, 67:45:03:04, 67:45:03:05, 67:45:03:06, 67:45:03:07, 67:45:03:08, 67:45:03:09, 67:45:03:10, 67:45:03:11, 67:45:03:12.

History/Notice: 49 SDR 113, June 5, 2023

Hearing: June 22, 2023

Filed: July 18, 2023

Effective: August 7, 2023

SOUTH DAKOTA BOARD OF DENTISTRY (DEPARTMENT OF HEALTH): 20:43:03:01, 20:43:03:02, 20:43:03:04, 20:43:03:08, 20:43:03:09, 20:43:03:10; 20:43:04:01, 20:43:04:01.01; 20:43:09:06, 20:43:09:06.01; 20:43:10:05.

History/Notice: 49 SDR 88, April 17, 2023

Hearing: June 2, 2023

Filed: July 19, 2023

Effective: August 8, 2023

DEPARTMENT OF HEALTH: 44:20:01:03, 44:20:01:04; 44:20:02:06.

History/Notice: 49 SDR 99, May 8, 2023

Hearing: June 12, 2023

Filed: July 19, 2023

Effective: August 8, 2023

SOUTH DAKOTA INVESTMENT COUNCIL: 06:01:01:02, 06:01:01:03, 06:01:01:04; 06:01:04:01, 06:01:04:02, 06:02:04:03, 06:01:04:04, 06:01:04:05, 06:01:04:06, 06:01:04:07, 06:01:04:08, 06:01:04:09, 06:01:04:10, 06:01:04:11, 06:01:04:12, 06:01:04:13, 06:01:04:14, 06:01:04:15; 06:01:06:01, 06:01:06:02, 06:01:06:03, 06:01:06:05.

History/Notice: 49 SDR 107, May 22, 2023

Hearing: June 20, 2023

Filed: July 19, 2023

Effective: August 8, 2023

BOARD OF ADDICTION AND PREVENTION PROFESSIONALS (DEPARTMENT OF SOCIAL SERVICES): 20:80:01:01, 20:80:01:02, 20:80:01:04, 20:80:01:05; 20:80:02:01, 20:80:02:02, 20:80:02:03, 20:80:02:05; 20:80:03:01, 20:80:03:02; 20:80:04:02, 20:80:04:03, 20:80:04:04; 20:80:07:01, 20:80:07:03; 20:80:08:01, 20:80:08:02, 20:80:08:03, 20:80:08:04, 20:80:08:05, 20:80:08:07, 20:80:08:08, 20:80:08:09, 20:80:08:10, 20:80:08:11, 20:80:08:12, 20:80:08:14, 20:80:08:15, 20:80:08:16, 20:80:08:17, 20:80:08:18, 20:80:08:19, 20:80:08:20, 20:80:08:21; 20:80:09:01, 20:80:09:03, 20:80:09:04, 20:80:09:06, 20:80:09:08, 20:80:09:09, 20:80:09:11, 20:80:09:12, 20:80:09:13; 20:80:10:01, 20:80:10:02, 20:80:10:03.

History/Notice: 49 SDR 109, May 30, 2023

Hearing: June 27, 2023

Filed: July 19, 2023

Effective: August 8, 2023

STATE BOARD OF ELECTIONS (OFFICE OF THE SECRETARY OF STATE): 05:02:03:01, 05:02:03:14; 05:02:04:18; 05:02:08:45; 05:02:09:01.01, 05:02:09:01.02, 05:02:09:01.04; 05:02:19:11; 05:02:21:01; 05:02:23:01; 05:04:06:10.

History/Notice: 49 SDR 114, June 5, 2023

Hearing: June 28, 2023

Filed: July 19, 2023

Effective: August 8, 2023

ANIMAL INDUSTRY BOARD (DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES): 12:68:02:08; 12:68:14:01; 12:68:15:10.

History/Notice: 49 SDR 117, June 12, 2023

Hearing: July 11, 2023

Filed: July 20, 2023

Effective: August 9, 2023

BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS (DEPARTMENT OF HEALTH): 20:61:02:01, 20:61:02:02, 20:61:02:03, 20:61:02:04; 20:63:01:01.

History/Notice: 49 SDR 91, April 24, 2023

Hearing: June 8, 2023

Filed: July 21, 2023

Effective: August 10, 2023

SOUTH DAKOTA DIVISION OF INSURANCE (DEPARTMENT OF LABOR AND REGULATION): 20:06:09:48; 20:06:12:07; 20:06:18:04:01; 20:06:19:04; 20:06:25:01, 20:06:25:01.01, 20:06:25:01.02, 20:06:25:02; 20:06:26:01; 20:06:34:12; 20:06:36:01; 20:06:59:01.

History/Notice: 49 SDR 113, June 5, 2023

Hearing: June 26, 2023

Filed: July 21, 2023

Effective: August 10, 2023

SCHEDULED PUBLIC HEARINGS

7-27-2023	<u>Department of Social Services:</u> 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.
7-27-2023	<u>Department of Transportation:</u> Amend rules to change the speed limit on Interstate Highway 90 in and around Sioux Falls and on U.S. Highway 385 in Hot Springs; 50 SDR 5, July 10, 2023.
7-31-2023	<u>South Dakota Real Estate Commission (Department of Labor and Regulation):</u> 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.
8-14-2023	<u>Department of Public Safety:</u> Amend rules to adopt the 2021 editions of the National Board Inspection Code handbook and American Society of Mechanical Engineers Boiler and Pressure Vessel Code handbook, and the 2023 edition of the Commercial Vehicle Safety Alliance handbook; revise rules pertaining to motorcycle safety education courses; and adopt current policy and procedure for the issuance of burn permits; 50 SDR 8, July 17, 2023.
8-22-2023	<u>Professional Administrators Practices and Standards Commission (Department of Education):</u> Amend a rule to add a requirement to the code of ethics for the reporting of violations to the code; 50 SDR 11, July 24, 2023.
8-23-2023	<u>Department of Agriculture and Natural Resources:</u> Amend rules to adopt the model bill and regulations regarding labeling recommendations from the most current Official Publication of the Association of American Feed Control Officials; 50 SDR 8, July 17, 2023.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2023 Interim is Tuesday, August 8, 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 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.