



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 Game, Fish and Parks: (August 14, 2023) intends to adopt, amend, and repeal rules to restrict the number of applications a person may submit during certain draws for Prairie Spring Turkey, Fall Turkey, and Prairie Antelope; consolidate in administrative rule the costs of resident hoop net, trap, and setline licenses with other license fees; permit invasive carps and rough fish to be taken with dip nets; clarify the term, resident, in a rule authorizing landowners to perform fisheries management activities; establish a catch-and-release lake sturgeon season on Big Stone Lake; modify the number of resident paddlefish tags on Lake Francis Case; allow for rainbow trout to be harvested by legal spearing and archery methods from reservoirs within the Black Hills Fish Management Area; repeal a rule that establishes hoop net and trap license fees in order to move the fees into another administrative rule; clarify the number of floatlines that may be fished under a setline license; clarify what methods may be used to take bait species; and specify the methods for harvesting bait. The general authority for these rules, as cited by the department, is SDCL [41-2-18](#), [41-6-10](#), [41-6-21](#), [41-6-37.1](#), and [41-12-12](#).

A public hearing will be held at the Watertown Event Center, 1901 9th Avenue SW, Watertown, South Dakota, on September 7, 2023, at 2:00 p.m. (CT). Copies of the proposed rules may be obtained without charge from, and written comments on the proposed rules may be sent to, the Secretary of the Department of Game, Fish and Parks, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501. The rules are also available online at <https://rules.sd.gov>. 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).

South Dakota Board of Nursing Facility Administrators (Department of Health): (August 17, 2023) intends to adopt and amend rules to complete a fee update that was originally scheduled in 2020 and delayed due to the pandemic, and update statutory references. The general authority for these rules, as cited by the board, is SDCL [36-28-9](#), [36-28-10](#), [36-28-11](#), [36-28-12](#), [36-28-13](#), [36-28-14](#), [36-28-18](#), [36-28-18.2](#), and [36-28-21.1](#).

A public hearing will be held via [Zoom](#) and conference call on September 20, 2023, at 1:00 p.m. (CT). Interested parties may participate by telephone by calling (312) 626-6799 and using meeting ID 827 9061 1360 and passcode 275931. Those unable to participate by Zoom or teleconference and needing a physical location to listen to the hearing, can contact the South Dakota Board of Nursing Facility Administrators Office at (605) 224-1721. Copies of the proposed rules may be obtained without charge from, and written comments on the proposed rules may be sent to, the South Dakota Board of Nursing Facility Administrators, PO Box 340, Pierre, South Dakota 57501. The rules are also available online at <https://rules.sd.gov>. Comments may be emailed to SDNFA@midwestsolutionssd.com. Written comments must reach the board by September 15, 2023, to be considered. This hearing is being held in a physically accessible location. Persons with special needs for which the board can make arrangements may call (605) 224-1721 at least 48 hours before the public hearing or contact Telecommunications Relay Services for the Deaf at (800) 877-1113.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Final Administrative Rules

SOUTH DAKOTA SPEECH-LANGUAGE PATHOLOGY BOARD OF EXAMINERS (DEPARTMENT OF HEALTH): 20:79:01:01, 20:79:01:02, 20:79:01:03, 20:79:01:05, 20:79:01:06, 20:79:01:07, 20:79:01:08, 20:79:01:09, 20:79:01:10, 20:79:01:12, 20:79:01:15; 20:79:02:03, 20:79:02:05; 20:79:04:01, 20:79:04:02, 20:79:04:03, 20:79:04:04, 20:79:04:05, 20:79:04:06; 20:79:05:01, 20:79:05:02, 20:79:05:05, 20:79:05:06; 20:79:06:01, 20:79:06:04.

History/Notice: 49 SDR 110, May 30, 2023

Hearing: July 21, 2023

Filed: August 14, 2023

Effective: September 3, 2023

Executive Appointments

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeding</u>	<u>Effective/End Date</u>
Statewide One-Call Notification Center Board			
Fay M. Jandreau Highmore	Governor	Reappointed	8/15/2023 – 10/31/2025

SCHEDULED PUBLIC HEARINGS

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.
8-22-2023	<u>Department of Health:</u> Adopt and amend rules to revise language and update references relating to radiation imaging; adopt CFR 1020.30-1020.33, which all manufacturers of radiation equipment are required by the FDA to meet; include technological advances in radiation imaging equipment; more accurately define which personnel are required to use radiation monitoring devices; provide requirements for monitoring of pregnant radiation equipment operators; require a fixed control booth area for all fixed radiation equipment; and improve radiation equipment operator training, competency, and knowledge of radiation imaging acquisition and radiation safety; 50 SDR 14, July 31, 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.
8-24-2023	<u>Department of Transportation:</u> Amend rules to change the speed limit on State Trunk Highway 79 in Meade County in connection with the Sturgis Motorcycle Rally; eliminate a reduced speed zone on State Trunk Highway 48 in and around Spink County; and eliminate an outdated state law reference regarding transit grant audits; 50 SDR 17, August 7, 2023.
9-7-2023	<u>Department of Game, Fish and Parks:</u> Adopt, amend, and repeal rules to restrict the number of applications a person may submit during certain draws for Prairie Spring Turkey, Fall Turkey, and Prairie Antelope; consolidate in administrative rule the costs of resident hoop net, trap, and setline licenses with other license fees; permit invasive carps and rough fish to be taken with dip nets; clarify the term, resident, in a rule authorizing landowners to perform fisheries management activities; establish a catch-and-release lake sturgeon season on Big Stone Lake; modify the number of resident paddlefish tags on Lake Francis Case; allow for rainbow trout to be harvested by legal spearing and archery methods from reservoirs within the Black Hills Fish Management Area; repeal a rule that

	establishes hoop net and trap license fees in order to move the fees into another administrative rule; clarify the number of floatlines that may be fished under a setline license; clarify what methods may be used to take bait species; and specify the methods for harvesting bait; 50 SDR 22, August 21, 2023.
9-20-2023	South Dakota Board of Nursing Facility Administrators (Department of Health) : Adopt and amend rules to complete a fee update that was originally scheduled in 2020 and delayed due to the pandemic and update statutory references; 50 SDR 22, August 21, 2023.
10-10-2023	South Dakota Board of Nursing (Department of Health) : Adopt and amend rules to revise and modernize the RN and LPN scope and standards of practice to be consistent with practice statutes in SDCL 36-9-3 and 36-9-4 and national standards of practice; update definitions and terms used; clarify supervision requirements of the LPN, update and modernize the IV therapy tasks an LPN may perform, including the administration of blood components, after obtaining additional education and training; and update tasks and IV medications an LPN may not perform or administer; 50 SDR 14, July 31, 2023.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2023 Interim is Thursday, September 21, 2023, at 10:00 a.m. (CT) via electronic conference and in Room 414 of the Capitol. Please note the date change from the original schedule of September 12, 2023. The final meeting for the 2023 Interim is scheduled for 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.