



SOUTH DAKOTA REGISTER

Published weekly by the Legislative Research Council

Volume 50

Monday, 8:00 a.m., November 13, 2023

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Final Administrative Rules

DEPARTMENT OF GAME, FISH AND PARKS: 41:06:01:09; 41:07:01:12, 41:07:01:17, 41:07:01:20; 41:07:03:02; 41:07:05:02; 41:07:06:03; 41:07:08:01, 41:07:08:02; 41:09:04:02.04, 41:09:04:04.

History/Notice: 50 SDR 22, August 21, 2023

Hearing: September 7, 2023

Filed: November 7, 2023

Effective: November 27, 2023

DEPARTMENT OF GAME, FISH AND PARKS: 41:03:03:03.01, 41:03:03:03.02; 41:06:62:03.

History/Notice: 50 SDR 34, September 18, 2023

Hearing: October 5, 2023

Filed: November 7, 2023

Effective: November 27, 2023

DEPARTMENT OF HEALTH: 44:90:01:01; 44:90:02:16; 44:90:03:16, 44:90:03:17; 44:90:04:25; 44:90:06:01; 44:90:07:04; 44:90:08:04; 44:90:09:01; 44:90:10:01, 44:90:10:12; 44:90:11:01, 44:90:11:03, 44:90:11:06; 44:90:13:01, 44:90:13:02.

History/Notice: 50 SDR 27, September 5, 2023

Hearing: September 28, 2023

Filed: November 7, 2023

Effective: November 27, 2023

DEPARTMENT OF HEALTH: 44:75:01:01, 44:75:01:02, 44:75:01:02.01, 44:75:01:02.02, 44:75:01:03, 44:75:01:04, 44:75:01:05, 44:75:01:07, 44:75:01:07.01, 44:75:01:08, 44:75:01:09, 44:75:01:10; 44:75:02:05, 44:75:02:07, 44:75:02:08, 44:75:02:09, 44:75:02:10, 44:75:02:10.01, 44:75:02:11, 44:75:02:12, 44:75:02:12.01, 44:75:02:18, 44:75:02:19, 44:75:02:20, 44:75:02:22, 44:75:02:24, 44:75:02:25; 44:75:03:01, 44:75:03:02; 44:75:04:04, 44:75:04:05, 44:75:04:06, 44:75:04:09, 44:75:04:09.01, 44:75:04:10, 44:75:04:11, 44:75:04:12, 44:75:04:12.01, 44:75:04:13, 44:75:04:14, 44:75:04:15; 44:75:05:01, 44:75:05:02, 44:75:05:03; 44:75:06:01, 44:75:06:02, 44:75:06:03, 44:75:06:04, 44:75:06:05, 44:75:06:06, 44:75:06:07; 44:75:07:02, 44:75:07:03, 44:75:07:05, 44:75:07:07, 44:75:07:08, 44:75:07:09, 44:75:07:11, 44:75:07:15, 44:75:07:16, 44:75:07:17; 44:75:08:01, 44:75:08:02, 44:75:08:04, 44:75:08:05, 44:75:08:07, 44:75:08:08, 44:75:08:09; 44:75:09:01, 44:75:09:02, 44:75:09:03, 44:75:09:04, 44:75:09:06, 44:75:09:07, 44:75:09:08, 44:75:09:09; 44:75:10:01; 44:75:11:01, 44:75:11:02, 44:75:11:04; 44:75:12:02, 44:75:12:04; 44:75:13:01, 44:75:13:06, 44:75:13:07, 44:75:13:09, 44:75:13:10, 44:75:13:12, 44:75:13:16, 44:75:13:18, 44:75:13:22, 44:75:13:23, 44:75:13:24, 44:75:13:25, 44:75:13:28, 44:75:13:31, 44:75:13:37, 44:75:13:39; 44:75:14:12, 44:75:14:18; 44:75:15:13.

History/Notice: 50 SDR 35, September 18, 2023

Hearing: October 18, 2023

Filed: November 7, 2023

Effective: November 27, 2023

DEPARTMENT OF SOCIAL SERVICES: 67:16:01:25, 67:16:01:26, 67:16:01:27; 67:16:02:03, 67:16:02:06; 67:16:07:04; 67:16:24:03.02, 67:16:24:07; 67:16:29:04, 67:16:29:04.02, 67:16:29:06.01, 67:16:29:09; 67:16:41:06, 67:16:41:10; 67:45:01:01, 67:45:01:02, 67:45:01:03, 67:45:01:04, 67:45:01:04.01, 67:45:01:05, 67:45:01:05.01, 67:45:01:06, 67:45:01:08; 67:54:09:02, 67:54:09:11.01, 67:54:09:16, 67:54:09:18.

History/Notice: 50 SDR 34, September 18, 2023

Hearing: October 11, 2023

Filed: November 7, 2023

Effective: November 27, 2023

DEPARTMENT OF SOCIAL SERVICES: 67:61:01:01; 67:61:02:01 to 67:61:02:17, inclusive, 67:61:02:19 to 67:61:02:21, inclusive; 67:61:03:01 to 67:61:03:04, inclusive; 67:61:04:01, 67:61:04:02, 67:61:04:04 to 67:61:04:10, inclusive; 67:61:05:01 to 67:61:05:09, inclusive, 67:61:05:12; 67:61:06:01 to 67:61:06:08, inclusive; 67:61:07:01 to 67:61:07:12, inclusive; 67:61:08:01 to 67:61:08:10, inclusive; 67:61:09:01, 67:61:09:02; 67:61:10:01 to 67:61:10:03, inclusive; 67:61:11:01 to 67:61:11:08, inclusive; 67:61:12:01, 67:61:12:02, 67:61:12:04; 67:61:13:01 to 67:61:13:03, inclusive, 67:61:13:05; 67:61:14:01 to 67:61:14:03, inclusive, 67:61:14:05; 67:61:15:01 to 67:61:15:05, inclusive; 67:61:16:01 to 67:61:16:04, inclusive, 67:61:16:06; 67:61:17:01 to 67:61:17:08, inclusive, 67:61:17:10; 67:61:18:01 to 67:61:18:07, inclusive; 67:62:02:01 to 67:62:02:16, inclusive, 67:62:02:18 to 67:62:02:21, inclusive; 67:62:04:01, 67:62:04:03, 67:62:04:04; 67:62:05:01, 67:62:05:02, 67:62:05:05 to 67:62:05:08, inclusive; 67:62:06:03, 67:62:06:07, 67:62:06:08; 67:62:07:01 to 67:62:07:06, inclusive; 67:62:08:01 to 67:62:08:14, inclusive; 67:62:09:01, 67:62:09:02; 67:62:10:01, 67:62:10:02, 67:62:10:04; 67:62:11:01, 67:62:11:02, 67:62:11:04; 67:62:12:01, 67:62:12:02, 67:62:12:04; 67:62:13:01 to 67:62:13:06, inclusive, 67:62:13:08; 67:62:14:01, 67:62:14:02, 67:62:14:05 to 67:62:14:09, inclusive; 67:62:15:01, 67:62:15:03, 67:62:15:04, 67:62:15:06, 67:62:15:08 to 67:62:15:12, inclusive, and 67:62:15:16 to 67:62:15:19, inclusive.

History/Notice: 50 SDR 36, September 18, 2023

Hearing: October 11, 2023

Filed: November 7, 2023

Effective: November 27, 2023

DEPARTMENT OF HUMAN SERVICES: 46:11:01:01; 46:11:02:12, 46:11:02:14; 46:11:03:00, 46:11:03:01; 46:11:09:01, 46:11:09:07, 46:11:09:07.01, 46:11:09:10, 46:11:09:20; 46:17:02:03; 46:31:02:03.

History/Notice: 50 SDR 36, September 18, 2023

Hearing: October 11, 2023

Filed: November 8, 2023

Effective: November 28, 2023

LAW ENFORCEMENT OFFICERS STANDARDS AND TRAINING COMMISSION (OFFICE OF THE ATTORNEY GENERAL): 02:01:02:01; 02:01:02:02.01, 02:01:02:08, 02:01:02:11; 02:01:05:06; 02:01:06:02, 02:01:06:02.02, 02:01:06:02.03, 02:01:06:03, 02:01:06:03.01, 02:01:06:14; 02:01:09:03; 02:01:10:01; 02:01:12:01; 02:01:15:02.01; 02:05:01:01, 02:05:01:02.02, 02:05:01:05, 02:05:01:06; 02:05:02:02, 02:05:02:02.01, 02:05:02:02.02, 02:05:02:03, 02:05:02:03.01, 02:05:02:10.

History/Notice: 50 SDR 36, September 18, 2023

Hearing: October 12, 2023

Filed: November 8, 2023

Effective: November 28, 2023

SOUTH DAKOTA DIVISION OF INSURANCE (DEPARTMENT OF LABOR AND REGULATION): 20:06:53:66.

History/Notice: 50 SDR 46, October 2, 2023

Hearing: October 17, 2023

Filed: November 8, 2023

Effective: November 28, 2023

SOUTH DAKOTA STATE BOARD OF DENTISTRY (DEPARTMENT OF HEALTH): 20:43:03:01, 20:43:03:04; 20:43:03:04.02, 20:43:03:05, 20:43:03:06, 20:43:03:08, 20:43:03:10; 20:43:07:05, 20:43:07:07, 20:43:07:09; 20:43:08:03, 20:43:08:09; 20:43:09:08.

History/Notice: 50 SDR 35, September 18, 2023

Hearing: October 20, 2023

Filed: November 9, 2023

Effective: November 29, 2023

Executive Appointments

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeding</u>	<u>Effective/End Date</u>
Commission on Human Rights Marilyn A. Grossenburg Winner	Governor	Reappointed	11/9/2023 – 6/30/2027
Independent Living Council Joseph M. Vetch Summerset	Governor	Benedict Wolf Necklace	11/9/2023 – 6/30/2026
South Dakota Board of Directors for Educational Telecommunications Julie A. Ashworth Sioux Falls	Governor	Reappointed	11/9/2023 – 6/30/2025
South Dakota Humanities Council Roberta Bohlen Wilmot	Governor	Reappointed	11/9/2023 – 12/31/2026
State Historical Society Board of Trustees William H. Pearson Deadwood	Governor	Marshall Damgaard	11/9/2023 – 4/15/2024
Wheat Utilization Research and Marketing Development Commission Jamie L. Johnson Frankfort	Governor	Julian Roseth	11/8/2023 – 10/30/2026
Bryan L. Jorgensen Ideal	Governor	Reappointed	11/8/2023 – 10/30/2025

SCHEDULED PUBLIC HEARINGS

11-30-2023	Department of Health : Amend a rule to add Newborn Hearing Screening to South Dakota's newborn screening panel; 50 SDR 59, October 30, 2023.
12-5-2023	South Dakota Animal Industry Board (Department of Agriculture and Natural Resources) : Adopt a rule to clarify that sales of retail meat products would occur only when the producing retail store has full control of the sanitation, storage, and transportation of the products until purchased by the consumer; 50 SDR 60, November 6, 2023.
12-12-2023	South Dakota Commission on Gaming (Department of Revenue) : Amend rules to correct errors and statutory reference concerning authority due to the repeal of certain sections of the South Dakota Codified Laws, and to clarify that individuals are entitled to receive notice of administrative action; 50 SDR 60, November 6, 2023.

RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee has completed its meeting schedule for the 2023 Interim. Find information regarding 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.