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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: (April 11, 2024) intends to amend rules to create consistency in the use of the terms "bull" and "non-trophy"; consider the use of archery equipment during the Custer State Park trophy and non-trophy bison harvest season; modify the season dates and times for the Custer State Park coyote hunting season; remove redundancies in rules regarding hunting area restrictions in Custer State Park; modify the allowable hunting days and number of licenses for trophy bison; modify the dates for grouse, quail, and partridge hunting seasons; modify the word "common" in the rule for a snipe hunting season and set guidelines for daily bag and possession limits; modify the number of any elk and antlerless elk licenses and units for the Black Hills elk hunting season; modify the number of any elk licenses and the option to provide up to thirty antlerless elk licenses for the Custer State Park elk hunting season; modify the number of any elk and antlerless elk licenses and units for the Custer State Park early archery elk hunting season; modify the cottontail rabbit hunting season on publicly accessible land; modify the tree squirrel hunting season; modify the Custer State Park coyote hunting season; modify the archery elk hunting licenses and tag types; clean up administrative rule to match unit boundary descriptions for Black Hills archery elk with Black Hills firearm elk; and modify the number of non-trophy bison licenses. The general authority for these rules, as cited by the department, is SDCL [41-2-18](#), [41-11-5](#), and [41-17-1.1](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the Custer State Park Event Barn, 13389 U.S. Highway 16A, Custer, South Dakota, on May 2, 2024, at 2:00 p.m. (MT). 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).

Department of Revenue: (April 12, 2024) intends to repeal obsolete rules; amend rules to reflect current practices and eliminate the dealer technology exemption; and adopt rules regarding the motor vehicle excise tax exemption for rental companies. The general authority for these rules, as cited by the department, is SDCL [32-5-111](#), [32-5B-15](#), [32-6B-14](#), [32-6B-60](#), [32-6C-17](#), [32-7A-14.1](#), [32-7B-8](#), and [32-7B-20](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the Anderson Building, 445 East Capitol Avenue, Pierre, South Dakota, on May 9, 2024, at 9:30 a.m. (CT). Interested individuals may also attend online at <https://state-sd.zoom.us/j/95703701321>. Copies of the proposed rules may be obtained without charge from, and written comments on the proposed rules may be sent to, Department of Revenue, 445 East Capitol Avenue, Pierre, South Dakota 57501. The rules are also available online at <https://rules.sd.gov>.

Comments may also be submitted by email to morgan.maier@state.sd.us. All written and email comments must be received by close of business on May 23, 2024, 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) 773-3311 at least 48 hours before the public hearing.

SCHEDULED PUBLIC HEARINGS

4-15-2024	<u>South Dakota Division of Insurance (Department of Labor and Regulation):</u> Amend a rule to incorporate the 2024 Medicare Supplement coverage amounts set by the federal government; 50 SDR 112, March 25, 2024.
4-18-2024	<u>South Dakota Aeronautics Commission (Department of Transportation):</u> (March 27, 2024) intends to amend rules to ensure administrative rules correctly identify the General Authority and Law Implemented regarding <u>Ch. 70:02:04</u> , and eliminate outdated statutory references; 50 SDR 115, April 2, 2024.
4-19-2024 NOTE: Hearing was originally scheduled for March 25, 2024	<u>Department of Health:</u> Amend a rule to correct language to clarify that home health agency personnel and hospice providers are required to be Medicare-certified, not Medicaid-certified; 50 SDR 104, March 4, 2024.
4-30-2024	<u>Department of Human Services:</u> Amend a rule to allow providers of CHOICES waiver services to cease providing services to participants appealing a termination notice after a decision is issued, or ninety days from the date of the termination notice, whichever is sooner; to clarify who may appeal; and clarify what is reviewed during appeal hearings; 50 SDR 115, April 2, 2024.
5-2-2024	<u>Department of Game, Fish and Parks:</u> (April 11, 2024) intends to amend rules to create consistency in the use of the terms "bull" and "non-trophy"; consider the use of archery equipment during the Custer State Park trophy and non-trophy bison harvest season; modify the season dates and times for the Custer State Park coyote hunting season; remove redundancies in rules regarding hunting area restrictions in Custer State Park; modify the allowable hunting days and number of licenses for trophy bison; modify the dates for grouse, quail, and partridge hunting seasons; modify the word "common" in the rule for a snipe hunting season and set guidelines for daily bag and possession limits; modify the number of any elk and antlerless elk licenses and units for the Black Hills elk hunting season; modify the number of any elk licenses and the option to provide up to thirty antlerless elk licenses for the Custer State Park elk hunting season; modify the number of any elk and antlerless elk licenses and units for the Custer State Park early archery elk hunting season; modify the cottontail rabbit hunting season on publicly accessible land; modify the tree squirrel hunting season; modify the Custer State Park coyote hunting season; modify the archery elk hunting licenses and tag types; clean up administrative rule to match unit boundary descriptions for Black Hills archery elk with Black Hills firearm elk; and modify the number of non-trophy bison licenses; 50 SDR 122, April 15, 2024.
5-8-2024	<u>South Dakota Board of Funeral Service (Department of Health):</u> Amend rules to reflect changes to statutes during the 2023 and 2024 legislative sessions, the effect of which is to remove unnecessary barriers to licensure, update language to reflect current terminology and practice, and correct legal and authority references; 50 SDR 101, February 26, 2024.
5-9-2024	<u>Department of Revenue:</u> Repeal obsolete rules; amend rules to reflect current practices and eliminate the dealer technology exemption; and adopt rules regarding the motor vehicle excise tax exemption for rental companies; 50 SDR 122, April 15, 2024.
5-31-2024	<u>South Dakota State Board of Dentistry (Department of Health):</u> Amend rules to update the collaborative supervision administrative rules and remove a clinical practice requirement to make the rules consistent with <u>House Bill 1074</u> , which was passed by the 2024 Legislature; 50 SDR 118, April 8, 2024.

RULES REVIEW COMMITTEE MEETINGS

The first meeting of the Interim Rules Review Committee for the 2024 Interim is Monday, April 15, 2024, at 10:00 a.m. (CT) via electronic conference and in Room 414 of the Capitol. Future meetings for the 2024 Interim are scheduled for May 7, June 10, July 16, August 20, September 10, and October 22. 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.