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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.

South Dakota Board of Education Standards (Department of Education): (April 29, 2024) intends to amend rules to repeal the athletic coaching permit; move the international exchange teacher permit to reciprocity; create a one-year CTE instructor permit; and clean up language within the current rules. The general authority for these rules, as cited by the board, is SDCL [13-1-12.1](#), [13-42-3](#), and [13-42-3.2](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the MacKay Building, First Floor, Library Commons, 800 Governors Drive, Pierre, South Dakota, on May 20, 2024, at 9:00 a.m. (CT). Interested parties may also attend online at <https://state-sd.zoom.us/j/95740884942> using passcode 115011. Copies of the proposed rules may be obtained without charge from South Dakota Department of Education, Attn: Dr. Kathryn Blaha, 800 Governors Drive, Pierre, South Dakota 57501. Written comments on the proposed rules may be sent to South Dakota Department of Education, Attn: Dr. Kathryn Blaha, 800 Governors Drive, Pierre, South Dakota 57501; emailed to Kathryn.Blaha@state.sd.us; or submitted at <https://rules.sd.gov>. Material sent by mail or email must reach the department by May 15, 2024, 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) 773-5669 at least 48 hours before the public hearing.

South Dakota Board of Education Standards (Department of Education): (April 29, 2024) intends to amend rules to remove the youth suicide awareness and prevention training requirement from the certification process. The general authority for these rules, as cited by the board, is SDCL [13-1-12.1](#) and [13-42-3](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the MacKay Building, First Floor, Library Commons, 800 Governors Drive, Pierre, South Dakota, on May 20, 2024, at 9:00 a.m. (CT). Interested parties may also attend online at <https://state-sd.zoom.us/j/95740884942> using passcode 115011. Copies of the proposed rules may be obtained without charge from South Dakota Department of Education, Attn: Dr. Kathryn Blaha, 800 Governors Drive, Pierre, South Dakota 57501. Written comments on the proposed rules may be sent to South Dakota Department of Education, Attn: Dr. Kathryn Blaha, 800 Governors Drive, Pierre, South Dakota 57501; emailed to Kathryn.Blaha@state.sd.us; or submitted at <https://rules.sd.gov>. Material sent by mail or email must reach the department by May 15, 2024, 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) 773-5669 at least 48 hours before the public hearing.

South Dakota Board of Nursing (Department of Health): (May 2, 2024) intends to adopt and amend rules to revise the approval process for clinical enrichment programs and use of nurse preceptors, and add requirements for nurses and registrants to report to the board within 60 days a new address, name, or other reportable event. The general authority for these rules, as cited by the board, is SDCL [36-9-21](#) and [36-9-86](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at Springhill Suites, Emerald Room, 4304 West Empire Place, Sioux Falls, South Dakota, on June 5, 2024, at 9:00 a.m. (CT). Copies of the proposed rules may be obtained without charge from, and written comments may be sent to, South Dakota Board of Nursing, 4305 South Louise Avenue, Suite 201, Sioux Falls, South Dakota 57106. Copies of the rules are also available at <https://rules.sd.gov> and <https://www.sdbon.org/news/ProposedRules.asp>. Comments may be emailed to linda.young@state.sd.us. The deadline to submit any such written comments for consideration is May 29, 2024. This hearing is being held in a physically accessible location. Persons with special needs for which the board can make arrangements may email linda.young@state.sd.us or call (605) 362-2760 at least 48 hours before the public hearing.

Department of Transportation: (May 2, 2024) intends to amend rules to change speed limits on State Trunk Highway 87, U.S. Highway 16, and State Trunk Highway 40 in Pennington County; on U.S. Highway 14 and 14B in Brookings County; on State Trunk Highway 34, State Trunk Highway 79, and U.S. Highway 212 in Butte County; on U.S. Highway 16A, State Trunk Highway 87, State Trunk Highway 89, and U.S. Highway 385 in Custer County; on U.S. Highway 212 and the Interstate 90 eastbound off ramp into the Tilford port of entry in Meade County; and on State Trunk Highway 20 in Perkins County. The proposed rules will also eliminate duplication and make stylistic changes. The general authority for these rules, as cited by the department, is SDCL [32-25-7](#) and [32-25-7.1](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held in the Commission Room of the Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota, on May 23, 2024, at 9:00 a.m. (CT). Interested parties may also participate by telephone by calling (866) 705-2554 and using conference code 153277. 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 Transportation, Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota 57501-2586. Copies of the rules are also available at <https://rules.sd.gov>. Comments may also be emailed to Joel.Jundt@state.sd.us. Information submitted in writing must be received on or before May 19, 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 the department's ADA Coordinator at (605) 773-3540 or (800) 877-1113 (Telecommunications Relay Services for the Deaf) at least 48 hours before the public hearing.

Petitions for Rules

The **Department of Game, Fish and Parks** on April 30, 2024, served on the Interim Rules Review Committee and the director of the Legislative Research Council petitions received from interested persons, per [SDCL 1-26-13](#), to make changes to ARSD [41:08:01:07](#) to address the apparent loss in the beaver population in the Black Hills. The petitions request a three-year moratorium on beaver trapping and hunting in the Black Hills National Forest; a rewrite of the description of the Black Hills Fire Protection District; that hunters and trappers be mandated to report both the number of beavers taken and their locations on some public federal lands in South Dakota; and that the length of the beaver season outside of the Black Hills Fire Protection District be reduced from twelve months to five months. The [Game, Fish and Parks Commission](#) reviewed the petitions at its May 2, 2024, meeting.

SCHEDULED PUBLIC HEARINGS

5-8-2024	South Dakota Board of Funeral Service (Department of Health): 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	Department of Revenue: 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.
5-17-2024	Department of Social Services: Amend and adopt rules to allow for the Temporary Assistance to Needy Families (TANF) program to accept a verbal statement if an individual wants to close their case; to update federal medical services eligibility standards that are reflected in rule; and to

	update the personal needs allowance for individuals in nursing or intermediate care facilities; 50 SDR 128, April 29, 2024.
5-20-2024	South Dakota Division of Insurance (Department of Labor and Regulation) : Amend rules to update the sources referenced in rule; 50 SDR 128, April 29, 2024.
5-20-2024	South Dakota Board of Education Standards (Department of Education) : Amend rules to repeal the athletic coaching permit; move the international exchange teacher permit to reciprocity; create a one-year CTE instructor permit; and clean up language within the current rules; 50 SDR 132, May 6, 2024.
5-20-2024	South Dakota Board of Education Standards (Department of Education) : Amend rules to remove the youth suicide awareness and prevention training requirement from the certification process; 50 SDR 132, May 6, 2024.
5-23-2024	Department of Transportation : Amend rules to change speed limits on State Trunk Highway 87, U.S. Highway 16, and State Trunk Highway 40 in Pennington County; on U.S. Highway 14 and 14B in Brookings County; on State Trunk Highway 34, State Trunk Highway 79, and U.S. Highway 212 in Butte County; on U.S. Highway 16A, State Trunk Highway 87, State Trunk Highway 89, and U.S. Highway 385 in Custer County; on U.S. Highway 212 and the Interstate 90 eastbound off ramp into the Tilford port of entry in Meade County; and on State Trunk Highway 20 in Perkins County. The proposed rules will also eliminate duplication and make stylistic changes; 50 SDR 133, May 6, 2024.
5-31-2024	South Dakota State Board of Dentistry (Department of Health) : Amend rules to update the collaborative supervision administrative rules and remove a clinical practice requirement to make the rules consistent with House Bill 1074 , which was passed by the 2024 Legislature; 50 SDR 118, April 8, 2024.
6-5-2024	South Dakota Board of Nursing (Department of Health) : Adopt and amend rules to revise the approval process for clinical enrichment programs and use of nurse preceptors, add requirements for nurses and registrants to report to the board within 60 days a new address, name, or other reportable event; 50 SDR 132, May 6, 2024.
7-8-2024	South Dakota Board of Education Standards (Department of Education) : Amend rules to align with the appeal window in codified law and make updates for consistent reference to due process complaints and the 30-day resolution period; 50 SDR 128, April 29, 2024.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2024 Interim is Tuesday, May 7, 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 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.