



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.

South Dakota Division of Insurance (Department of Labor and Regulation): (July 3, 2024) intends to amend rules to implement an examination validity program and maintaining qualifications program for eligible broker-dealer agents, investment advisers, and investment adviser representatives; and to update the examination requirement for investment advisers and investment adviser representatives. The general authority for these rules, as cited by the division, is SDCL [47-31B-402](#), [47-31B-404](#), [47-31B-410](#), [47-31B-411](#), [47-31B-412](#), [47-31B-503](#), and [47-31B-605](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held in the Oahe Conference Room, 124 South Euclid Avenue, 1st Floor, Pierre, South Dakota, on July 29, 2024, at 9:30 a.m. (CT). Copies of the proposed rules may be obtained without charge from, and written comments may be sent to, South Dakota Division of Insurance, Administrative Rules, 124 South Euclid Avenue, 2nd Floor, Pierre, South Dakota 57501. Comments may also be emailed to lisa.harmon@state.sd.us. Copies of the proposed rules are also available at http://dlr.sd.gov/insurance/admin_rules/public_hearings.aspx and <https://rules.sd.gov/> or by email request to lisa.harmon@state.sd.us. Information submitted in writing must be received on or before August 8, 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) 773-3563 at least 48 hours before the public hearing.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Executive Appointments

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeding</u>	<u>Effective/End Date</u>
State Council for Educational Opportunity for Military Children Becky J. Drury Rapid City	Governor	Nancy York	7/1/2024 – 1/14/2025

SCHEDULED PUBLIC HEARINGS

7-8-2024	<u>South Dakota Board of Education Standards (Department of Education)</u> : 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.
7-9-2024	<u>South Dakota Housing Development Authority</u> : Amend rules to modify the definition of "political subdivision" to include political subdivisions of a federally recognized Indian tribe and modify the eligibility for the housing infrastructure program to eliminate the requirement that the political subdivision be of the state of South Dakota; 50 SDR 152, June 17, 2024.
7-11-2024	<u>South Dakota One Call Board (Department of Public Safety)</u> : Amend rules to mandate excavators to identify the precise site being excavated by pre-marking the area of excavation with white paint or flags ("white lining"); mandate operators to participate in a Positive Response program in which operators must provide response to the notification center prior to the ticket start date and time; and limit excavators from updating current tickets after sixty-three calendar days have elapsed from the state date of the original ticket; 50 SDR 152, June 17, 2024.
7-11-2024	<u>Department of Game, Fish and Parks</u> : Amend rules to eliminate the option to purchase a discounted second annual park entrance license through the stub/coupon method; eliminate the ability to buy multiple discounted annuals through common vehicle registration; provide for the availability of a double license option; modify landowner own land license types from one "any antelope" or one two-tag "any antelope" and "any doe-fawn antelope" to one "buck antelope" only; close the mentored antelope season; reduce the minimum factory rated muzzle velocity of one thousand feet per second to six hundred feet per second for an air gun with hunting pellets to hunt cottontail rabbit, red squirrel, fox squirrel, grey squirrel, coyote, wolf, gray fox, red fox, skunk, gopher, ground squirrel, chipmunk, jackrabbit, marmot, opossum, porcupine, crow, and prairie dog; adjust unit boundary descriptions and create new units; allow an individual that applies for a "special antelope" license to apply for another antelope license in the second lottery drawing instead of the third lottery drawing; and remove the availability of access permits within the Black Hills Fire Protection District; 50 SDR 160, June 24, 2024.
7-19-2024	<u>Department of Health</u> : Repeal rules related to the regulation of emergency medical responders (EMRs) and emergency medical technicians (EMTs) as regulation of EMRs and EMTs is being transferred from the Department of Health to the Board of Medical and Osteopathic Examiners. The rules also update language related to ambulance services including changing the deadline for ambulance services to submit required electronic patient care reports from monthly to within seventy-two hours of completion of an ambulance run; establishing a process for ambulance services to request a hardship exemption for the medical director requirement; and establishing quality assurance standards for advanced life support ambulance services; 51 SDR 2, July 1, 2024.
7-23-2024	<u>South Dakota Electrical Commission (Department of Labor and Regulation)</u> : Amend rules to adopt the 2023 National Electrical Code (NEC); implement standards for the approval and management of third-party inspectors; apply the statutory minimum inspection fee of one hundred dollars under SDCL 36-16-30; and formalize the third-party inspector process; 50 SDR 142, May 28, 2024.
7-29-2024	<u>Department of Health</u> : Amend a rule to increase the fee for medical cannabis establishments, per Senate Bill 43 which was passed by the 2024 South Dakota Legislature; 51 SDR 1, July 1, 2024.
7-29-2024	<u>South Dakota Division of Insurance (Department of Labor and Regulation)</u> : Amend rules to implement an examination validity program and maintaining qualifications program for eligible broker-dealer agents, investment advisers, and investment adviser representatives, and update the examination requirement for investment advisers and investment adviser representatives; 51 SDR 5, July 8, 2024.

<p>8-1-2024</p>	<p>Division of Labor and Management (Department of Labor and Regulation): Amend rules to update the source of the reference used to calculate reimbursement rates for providers of workers' compensation dental procedures to the 2023 edition and increase the conversion factor for dental fees; 51 SDR 2, July 1, 2024.</p>
<p>8-16-2024</p>	<p>South Dakota Board of Podiatry Examiners (Department of Health): Amend a rule to update the renewal fees to ensure financial viability of the board; 50 SDR 137, May 20, 2024.</p>
<p>8-20-2024</p>	<p>South Dakota Board of Physical Therapy (Department of Health): Amend rules to update the activities that meet continuing education requirements and update the waiver of continuing education requirements; 50 SDR 142, May 28, 2024.</p>

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2024 Interim is Tuesday, July 23, 2024, at 10:00 a.m. (CT) via electronic conference and in Room 414 of the Capitol; please note the change from the original meeting date of July 16, 2024. Future meetings for the 2024 Interim are scheduled for 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.