



# SOUTH DAKOTA REGISTER

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## FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

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### Notice of Proposed Rules

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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 Appraiser Certification Program (Department of Labor and Regulation):** (September 8, 2020) intends to amend rules to define evaluation in rule consistent with the statute; define guidelines utilized by federally regulated financial institutions for appraisals and evaluations; provide specific dates for timely submission of a renewal application and fee; identify when an application and fee is not considered to have been submitted in a timely manner; reference guidelines to identify when an appraisal or evaluation is required; remove language from rule that is found in the referenced guidelines; incorporate Federal Registers prescribing the federally regulated financial institutions' threshold levels; specify the transaction value of certain appraisals; modify language and correct errors; remove the requirement for an endorsed supervisory appraiser to complete an education program; add an exception to the limited number of state-registered appraisers a supervisor may supervise; allow certified general appraiser qualifying education for upgrade to state-licensed appraiser credential; specify requirements for disclosure of certain actions in an initial and renewal application; reformat the grounds for disciplinary action rules; add a requirement to report within a specified amount of time a criminal conviction; and add a chapter for evaluation exemptions and standards rules. The general authority for these rules, as cited by the department, is SDCL 36-21B-3.

A public hearing will be held at the Department of Labor and Regulation, Appraiser Certification Program conference room, 308 South Pierre Street, Pierre, South Dakota, on October 16, 2020, at 10:00 a.m. CT. Copies of the proposed rules may be obtained without charge from and written comments sent to Department of Labor and Regulation, Appraiser Certification Program, 308 South Pierre Street, Pierre, South Dakota 57501. Information submitted by mail must be received on or before October 26, 2020, 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) 773-4608 at least 48 hours prior to the hearing.

**Department of Game, Fish and Parks:** (September 10, 2020) intends to amend rules to establish a fee structure for newly acquired lodging facilities and allow for the Commission to adjust those fees according to demand within the range established; and include a new definition of lodging to coincide with the proposed fee structure. The general authority for these rules, as cited by the department, is SDCL 41-17-1.1 and 41-17-13.4.

A public hearing will be held virtually on October 1, 2020, at 2:00 p.m. CT. Interested parties may attend through the [Zoom link](#) or by calling (699) 900-9128. The meeting ID is 961 3699 2416 and the passcode is 734856. Copies of the proposed rules may be obtained without charge from and written comments sent to the Secretary of the Department of Game, Fish and Parks, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501. 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) 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>
<b>South Dakota 911 Coordination Board</b> Kelley Anderson Watertown	Governor	Jesseca Mundahl	9/2/2020 – 6/30/2023
<b>Family Support Council</b> Krista Bau Aberdeen	Governor	Elizabeth Brown	9/2/2020 – 6/30/2023
<b>State Arts Council</b> Roger Broer Hill City	Governor	Keith Braveheart	9/2/2020 – 6/30/2021
<b>South Dakota Advisory Panel for Children with Disabilities</b> Angie Brown Sioux Falls	Governor	Tyler Munson	9/2/2020 – 6/30/2021
<b>South Dakota Science and Technology Authority</b> Dana Dykhouse Sioux Falls	Governor	Reappointed	8/15/2020 – 8/14/2026
<b>Research and Commercialization Council</b> Darren Haar Rapid City	Governor	Bradford Wheeler	9/2/2020 – 6/30/2022
<b>Family Support Council</b> Joanne Hairy Shirt Groton	Governor	Darci Bible	9/2/2020 – 6/30/2023
<b>Board of Examiners for Speech-Language Pathology</b> Shirley J. Hauge Rapid City	Governor	Reappointed	9/2/2020 – 7/30/2023
<b>South Dakota Interagency Coordinating Council</b> Valerie Kelly Pierre	Governor	Sarah Aker	9/2/2020
<b>South Dakota Interagency Coordinating Council</b> Laura Nordbye Castlewood	Governor	Carroll Forsch	9/2/2020

**State Board of Podiatry**

**Examiners**

Scott Torness Watertown	Governor	Dr. Neil Skea	9/2/2020 – 10/30/2021
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**Board of Examiners for  
Speech-Language Pathology**

Connie Tucker Rapid City	Governor	Reappointed	9/2/2020 – 7/30/2023
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**South Dakota Advisory  
Panel for Children with  
Disabilities**

Elizabeth Welfl Spearfish	Governor	Kristie Eisenbraun	9/8/2020 – 6/30/2022
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**South Dakota Interagency  
Coordinating Council**

Debra Willert Pierre	Governor	Jodi Berscheid	9/2/2020
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**SCHEDULED PUBLIC HEARINGS**

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<b>9-18-2020</b>	<b>Board of Technical Professions (Department of Labor and Regulation):</b> Amend rules to allow applicants for architect and landscape architect licenses to apply for exams directly with the organization that administers those exams; reduce barriers for out-of-state licensees to become licensed in the state; and update the way professional development hours are logged and audited; 47 SDR 27, August 31, 2020.
<b>9-21-2020</b>	<b>South Dakota Board of Education Standards (Department of Education):</b> Update certification rules to accurately reflect recent changes to state statute; create a new educator permit; and update existing rules to address identified barriers; 47 SDR 17, August 10, 2020.
<b>9-22-2020</b>	<b>Department of Revenue:</b> Amend rules to eliminate specific courses listed in current rule and replace the list with a general requirement that individuals complete courses as required; create an individual rule for temporary certification requirements; create an individual rule for permanent certification requirements; create a single rule for similarly situated individuals who currently face different options or criteria for certification, define both groups under a single term, and eliminate unnecessary definitions; update outdated or incorrect language; correct citations within the rules; eliminate redundant or obsolete rules; replace the existing workshop requirement with a continuing education hours requirement; establish uniform language for the statutorily required taxpayer relief information on each notice of assessment; establish the data required and deadline for submission of information to the department to be used to oversee, advise, and audit the work of county officials; eliminate certain provisions required for certificate of value forms; allow counties using a permitted CAMA system to prepare information for property cards; eliminate two redundant abstract classes; allow counties to provide certain notices in formats other than by mail; eliminate an unnecessary reporting requirement; and transfer existing rules for organizational purposes; 47 SDR 30, September 8, 2020.
<b>9-24-2020</b>	<b>South Dakota Board of Nursing (Department of Health):</b> Implement rules to clarify the practice of a certified registered nurse anesthetist (CRNA); describe the act of prescribing by a CRNA; identify the action that may be taken for inappropriate prescribing practices; specify the guidelines for prescribing controlled substances for the treatment of chronic, non-cancer pain; list the documentation standards to be maintained; clarify that CRNAs may order, interpret, and supervise radiographic procedures, including fluoroscopy; and specify pain management procedures that may be performed by CRNAs and require education; 47 SDR 20, August 17, 2020.

9-28-2020	<b>Board of Technical Professions (Department of Labor and Regulation):</b> Amend rules to allow applicants for architect and landscape architect licenses to apply for exams directly with the organization that administers those exams; reduce barriers for out-of-state licensees to become licensed in the state; and update the way professional development hours are logged and audited; 47 SDR 27, August 31, 2020.
10-1-2020	<b>Department of Game, Fish and Parks:</b> Amend rules to establish a fee structure for newly acquired lodging facilities and allow for the Commission to adjust those fees according to demand within the range established; and include a new definition of lodging to coincide with the proposed fee structure; 47 SDR 33, September 14, 2020.
10-2-2020	<b>South Dakota Athletic Commission (Department of Labor and Regulation):</b> Amend rules to reduce the percentage of gross revenue from an event used to determine the final contest fee for a boxing, kickboxing or mixed martial arts event; cap the event fee at \$300,000; and make the mixed martial arts rules of competition consistent with the unified rules of mixed martial arts regarding fouls; 47 SDR 30, September 8, 2020.
10-16-2020	<b>South Dakota Appraiser Certification Program (Department of Labor and Regulation):</b> Amend rules to define evaluation in rule consistent with the statute; define guidelines utilized by federally regulated financial institutions for appraisals and evaluations; provide specific dates for timely submission of a renewal application and fee; identify when an application and fee is not considered to have been submitted in a timely manner; reference guidelines to identify when an appraisal or evaluation is required; remove language from rule that is found in the referenced guidelines; incorporate Federal Registers prescribing the federally regulated financial institutions' threshold levels; specify the transaction value of certain appraisals; modify language and correct errors; remove the requirement for an endorsed supervisory appraiser to complete an education program; add an exception to the limited number of state-registered appraisers a supervisor may supervise; allow certified general appraiser qualifying education for upgrade to state-licensed appraiser credential; specify requirements for disclosure of certain actions in an initial and renewal application; reformat the grounds for disciplinary action rules; add a requirement to report within a specified amount of time a criminal conviction; and add a chapter for evaluation exemptions and standards rules; 47 SDR 33, September 14, 2020.

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### RULES REVIEW COMMITTEE MEETINGS

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The next meeting of the Interim Rules Review Committee for the 2020 Interim is Tuesday, September 15, 2020, at 9:00 a.m. via electronic conference with limited public access in Room 414 of the Capitol. The final meeting for the 2020 Interim is scheduled for November 10. Watch for notices of 2020 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 will be updated regularly to reflect changes in drafting styles and procedures.