



# 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.

**Department of Social Services:** (April 22, 2020) intends to amend rules to eliminate the current disqualification for TANF assistance for individuals with felony drug convictions, pursuant to the passage of Senate Bill 96 during the 2020 Legislative Session. The general authority for these rules, as cited by the department, is SDCL 28-7A-3 and 28-7A-10.

A public hearing will be held telephonically on May 19, 2020, at 9:00 a.m. CT. Interested parties may attend by calling 1-844-833-2681 and using conference code 0182142#. Copies of the proposed rules may be obtained without charge from and written comments sent to Teresa Schulte, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501. Material sent by mail must reach the department by May 29, 2020, to be considered. Copies of the proposed rules are also available at <http://rules.sd.gov>. This hearing is being held in a physically accessible location. Persons with special needs for which the department can make arrangements may call (605) 773-3165 at least 48 hours before the public hearing.

**Department of Transportation:** (April 24, 2020) intends to amend rules to revise the dates for temporary reduced speed limits on Interstate Highway 90 between Sturgis and Rapid City, State Trunk Highway 34 in Sturgis, and State Trunk Highway 79 immediately north of its intersection with State Trunk Highway 34 in Meade County. The general authority for these rules, as cited by the department, is SDCL 32-25-7.

A public hearing will be held by teleconference on May 28, 2020, at 9:00 a.m. CT. Interested parties may attend by calling 1-866-410-8397 and using conference code 1289182255. Copies of the proposed rules may be obtained without charge from, and written comments sent to, the Secretary of Transportation, Becker Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota 57501. Comments may also be emailed to [Darin.Bergquist@state.sd.us](mailto:Darin.Bergquist@state.sd.us). The comment period will close on May 25, 2020. This hearing is being held in a physically accessible location. Persons with special needs for which the department can make arrangements may call (605) 280-5146 or (800) 877-1113 (Telecommunications Relay Services for the Deaf) at least 48 hours before the public hearing.

**South Dakota Division of Insurance (Department of Labor and Regulation):** (April 24, 2020) intends to amend rules to update the sources referenced in rule; incorporate 2020 Medicare Supplement coverage amounts set by the federal government; and clarify the information required for insurance companies to complete the Corporate Governance Annual Disclosure provided by the passage of House Bill 1017 during the 2020 Legislative Session. The general authority for these rules, as cited by the division, is SDCL 58-3-11, 58-3-26, 58-4-48, 58-5-166, 58-6-75, 58-17A-2, 58-26-13.1, 58-26-45.1, 58-26-46, 58-27-7, and 58-27-108.

A public hearing will be held by teleconference on May 19, 2020, at 2:00 p.m. CT. Interested parties may attend by calling 1-866-410-8397 and using conference code 7395895109. Copies of the proposed rules may be obtained without charge from and written comments sent to South Dakota Division of Insurance, Administrative Rules, 124 South Euclid Avenue,

2<sup>nd</sup> Floor, Pierre, South Dakota 57501. Copies of the proposed rules are also available by email request to [lisa.harmon@state.sd.us](mailto:lisa.harmon@state.sd.us) or at [http://dlr.sd.gov/insurance/admin\\_rules/public\\_hearings.aspx](http://dlr.sd.gov/insurance/admin_rules/public_hearings.aspx). The comment period will close on May 29, 2020. 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.

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## FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

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### Final Administrative Rules

#### **SOUTH DAKOTA BOARD OF ECONOMIC DEVELOPMENT (GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT):**

68:02:01:33, 68:02:01:34, 68:02:01:40, 68:02:01:44, 68:02:01:48, 68:02:01:54.

**History/Notice:** 46 SDR 88, January 21, 2020

**Hearing:** February 12, 2020

**Filed:** April 22, 2020

**Effective:** May 12, 2020

### Executive Orders

Governor Noem has signed the following Executive Orders:

- **Executive Order 2020-17**, dated April 20, 2020, removing overstocking restrictions on pork producers relating to their operations and care of their animals in response to the COVID-19 pandemic.
- **Executive Order 2020-18**, dated April 24, 2020, extending Executive Order 2020-13 for Minnehaha and Lincoln counties through May 11, 2020.
- **Executive Order 2020-19**, dated April 24, 2020, providing additional regulatory flexibility to assist in the COVID-19 response.

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## SCHEDULED PUBLIC HEARINGS

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<b>4-30-2020</b>	<b><u>South Dakota Weed &amp; Pest Control Commission (Department of Agriculture):</u></b> Amend rules to add absinth wormwood to the statewide noxious weed list and remove Russian knapweed from the same list; 46 SDR 114, April 6, 2020.
<b>5-7-2020</b>	<b><u>Department of Game, Fish and Parks:</u></b> Amend rules to make an allowance for an additional single-tag "antlerless any deer" license that would be distributed amongst all municipal archery deer hunting units; create new units for municipal archery deer hunting within city limits of certain cities; modify the start date for the Lacreek National Refuge and Sand Lake National Wildlife Refuge archery deer seasons; modify the age requirement for who would qualify for the youth waterfowl hunting season; modify the dates from "five consecutive days beginning on the first Saturday of October" to "9 consecutive days beginning 21 days prior to the third Saturday of October" for the special youth pheasant hunting season; limit the harvest of flathead catfish 20 inches or longer to one fish as part of the daily limit; and remove the River Otter from the list of threatened mammals; 46 SDR 119, April 20, 2020.
<b>5-7-2020</b>	<b><u>South Dakota Board of Accountancy (Department of Labor &amp; Regulation):</u></b> Amend rules to update references and language to allow for CPA exam candidates to have continuous testing; 46 SDR 116, April 14, 2020.
<b>5-7-2020</b>	<b><u>South Dakota State Library Board (Department of Education):</u></b> Amend rules to update fees charged to library users who damage or lose state library materials; 46 SDR 105, March 2, 2020.
<b>5-11-2020</b>	<b><u>South Dakota Board of Education Standards (Department of Education):</u></b> Amend rules to accurately reflect the federal Individuals with Disabilities Education Act (IDEA) rules amended by Every Student

	Succeeds Act (ESSA) and correct the definition of preschool age and preschool program to align with the IDEA preschool age; 46 SDR 97, February 6, 2020.
5-19-2020	<a href="#">South Dakota Division of Insurance (Department of Labor and Regulation)</a> : Amend rules to update the sources referenced in rule; incorporate 2020 Medicare Supplement coverage amounts set by the federal government; and clarify the information required for insurance companies to complete the Corporate Governance Annual Disclosure provided by the passage of House Bill 1017 during the 2020 Legislative Session; 46 SDR 122, April 27, 2020.
5-19-2020	<a href="#">Department of Social Services</a> : Amend rules to eliminate the current disqualification for TANF assistance for individuals with felony drug convictions, pursuant to the passage of Senate Bill 96 during the 2020 Legislative Session; 46 SDR 122, April 27, 2020.
5-28-2020	<a href="#">Department of Transportation</a> : Amend rules to revise the dates for temporary reduced speed limits on Interstate Highway 90 between Sturgis and Rapid City, State Trunk Highway 34 in Sturgis, and State Trunk Highway 79 immediately north of its intersection with State Trunk Highway 34 in Meade County; 46 SDR 122, April 27, 2020.
6-19-2020	<a href="#">South Dakota State Historical Society (Department of Education)</a> : Amend rules to set standard fees for services provided by the State Historical Society; 46 SDR 93, January 27, 2020.

### RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2020 Interim is Tuesday, May 5, 2020, at 10:00 a.m. via electronic conference with limited public access in Room 414 of the Capitol. Future meetings for the 2020 Interim are scheduled for June 9, July 14, August 18, September 15, and 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.