



# SOUTH DAKOTA REGISTER

Published weekly by the Legislative Research Council

Volume 46

Monday, 8:00 a.m., May 11, 2020

---

## 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.

**Civil Service Commission (Bureau of Human Resources):** (May 4, 2020) intends to amend rules to expand when a state employee can use sick leave and set forth the parameters of paid family leave upon the birth or adoption of a child. The general authority for these rules, as cited by the commission, is SDCL 3-6C-7, 3-6C-7.1, and 3-6C-18.

A public hearing will be held via teleconference on May 27, 2020, at 11:00 a.m. CT. Interested parties may attend by calling 1-866-410-8397 and using conference code 7663921553. Copies of the proposed rules may be obtained without charge from and written comments sent to the Civil Service Commission, c/o South Dakota Bureau of Human Resources, Room 110, State Capitol, 500 East Capitol Avenue, Pierre, South Dakota 57501. Material sent by mail must reach the commission by May 26, 2020, to be considered. This hearing is being held in a physically accessible location. Persons with special needs for which the commission can make arrangements may call (605) 773-5222 or email Mary Weischedel at [mary.weischedel@state.sd.us](mailto:mary.weischedel@state.sd.us) at least 48 hours before the public hearing.

### Petition for Rules

---

The **Department of Game, Fish and Parks** on May 6, 2020, served a petition to amend administrative rules regarding the date of removal for trapping devices. The **Game, Fish and Parks Commission** reviewed the petition at its May 7, 2020, meeting.

### Notice

---

The **South Dakota Department of Human Services, Division of Long Term Services and Supports**, is seeking public comment on an amendment to the Home and Community-Based Options and Person Centered Excellence (HOPE) waiver. The purpose of the amendment is to secure approval for a proposed assisted living rate methodology and enhance home and community-based services for individuals eligible for the HOPE waiver. The public comment period runs through June 7, 2020. Comments can be emailed to [hcbs@state.sd.us](mailto:hcbs@state.sd.us), submitted by phone to (605) 773-3656, or in writing to Division of Long Term Services and Supports, Attn: Misty Black Bear, 3800 East Hwy 34, c/o 500 East Capitol, Pierre, South Dakota 57501. For a summary of proposed changes and general information on the HOPE waiver, visit <http://dhs.sd.gov/LTSS/titlexix.aspx>.

---

## FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

---

### Final Administrative Rules

---

**[SOUTH DAKOTA ELECTRICAL COMMISSION \(DEPARTMENT OF LABOR AND REGULATION\)](#)**: 20:44:14:01; 20:44:16:23; 20:44:18:02, 20:44:18:06; 20:44:19:05, 20:44:19:06; 20:44:20:01, 20:44:20:02, 20:44:20:03, 20:44:20:04, 20:44:20:05, 20:44:20:06, 20:44:20:07, 20:44:20:08, 20:44:20:09, 20:44:20:10, 20:44:20:13; 20:44:24:05.

**History/Notice:** 46 SDR 112, March 30, 2020

**Hearing:** April 21, 2020

**Filed:** May 5, 2020

**Effective:** May 26, 2020

---

## UNIFIED JUDICIAL SYSTEM

---

### Orders Related to COVID-19

---

**Unified Judicial System COVID-19 Response**: The South Dakota Supreme Court on May 6, 2020, amended rules and regulations for admission of attorneys to practice law in South Dakota during the COVID-19 pandemic.

---

## SCHEDULED PUBLIC HEARINGS

---

<b>5-11-2020</b>	<b><u><a href="#">South Dakota Board of Education Standards (Department of Education)</a></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.
<b>5-19-2020</b>	<b><u><a href="#">South Dakota Division of Insurance (Department of Labor and Regulation)</a></u></b> : 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.
<b>5-19-2020</b>	<b><u><a href="#">Department of Social Services</a></u></b> : 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.
<b>5-27-2020</b>	<b><u><a href="#">Civil Service Commission (Bureau of Human Resources)</a></u></b> : Amend rules to expand when a state employee can use sick leave and set forth the parameters of paid family leave upon the birth or adoption of a child; 46 SDR 128, May 11, 2020.
<b>5-28-2020</b>	<b><u><a href="#">Department of Transportation</a></u></b> : 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.
<b>6-19-2020</b>	<b><u><a href="#">South Dakota State Historical Society (Department of Education)</a></u></b> : 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, June 9, 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 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.