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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.

Department of Transportation: (June 1, 2020) intends to amend rules to lengthen the 45 miles per hour speed limit zone on State Trunk Highway 44 in Parkston; and reduce speed limits on certain highways in specific communities when traffic is passing a school during a school recess or while children are going to or leaving school during its opening or closing hours including State Trunk Highway 37 in Groton; State Trunk Highway 127 in Rosholt; U.S. Highway 14 in DeSmet, Lake Preston, and Miller; State Trunk Highway 47 in Highmore; State Trunk Highway 247 in Roscoe; U.S. Highway 212 in Belle Fourche, Faulkton, and Newell; U.S. Highway 12 in Lemmon; U.S. Highways 16 and 16B in Hill City; State Trunk Highway 40 in Hermosa; State Trunk Highway 240 in Wall; U.S. Highway 18 in Hot Springs; Interstate Highway 90 service road in Summerset; State Trunk Highway 11 in Brandon; State Trunk Highway 38 in Hartford; State Trunk Highway 37P in Springfield; State Trunk Highway 46 in Wagner; State Trunk Highway 25 in Scotland; State Trunk Highway 34 in Woonsocket; U.S. Highway 81 in Salem; State Trunk Highway 73 in Philip; State Trunk Highway 20 in Hoven; State Trunk Highway 1804 in Mobridge; U.S. Highway 83 in Fort Pierre and Herreid; and State Trunk Highway 63 in McLaughlin. 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 June 25, 2020, at 9:00 a.m. CT. Interested parties may attend by calling (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. The comment period will close on June 22, 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) 773-3540 or (800) 877-1113 (Telecommunications Relay Services for the Deaf) at least 48 hours before the public hearing.

Petition for Rules

The **Department of Game, Fish and Parks** on June 3, 2020, served petitions to amend administrative rules to create a resident only fishing season on portions of the Missouri River, and to allow for any applicant with over 20 years of preference to receive a big game license from the available allotment. The [Game, Fish and Parks Commission](#) reviewed the petitions at its June 4, 2020, meeting.

Notice

The **Department of Social Services**, in conjunction with the **Department of Human Services**, has proposed an amendment to the CHOICES Medicaid 1915 (c) waiver, which is operated by the Division of Developmental Disabilities in the South Dakota Department of Human Services. The purpose of this amendment is to make supplemental payments to Community Support Providers that have a signed care coordination agreement with Indian Health Service, and to change the Career

Exploration timeline start date to June 1, 2021. A supplemental payment of \$154,881 would go to Community Connections, Inc. The proposed CHOICES waiver amendment can be viewed on the Department of Human Services website at <https://dhs.sd.gov/developmentaldisabilities/default.aspx>. Copies are also available at the Department of Human Services, Division of Developmental Disabilities.

The proposed amendment will be open for public comment for 30 days, from June 8, 2020, through July 8, 2020. Comments may be made by email to infodd@state.sd.us, by phone at (605) 773-3438, or by mail. Written requests for a copy of these changes, and corresponding comments, may be sent to Division of Developmental Disabilities, ATTN: CHOICES waiver Amendment, c/o 500 East Capitol, Pierre, South Dakota 5701.

SCHEDULED PUBLIC HEARINGS

6-19-2020	<u>South Dakota Cosmetology Commission (Department of Labor and Regulation)</u> : Amend rules to remove reference to the date fee increases become effective; remove the requirement to provide proof of high school graduation for licensure; remove the requirement for reciprocity applicants to take a hands-on practical examination; revise the number of hours reciprocity applicants can earn through work experience; revise the number of hours foreign-educated applicants must complete in a commission-approved school; reference the blood exposure rules in the rule that requires said rules to be in or near the first aid kit; and establish a rule to allow acceptance of related coursework completed at an institution not teaching the practices of cosmetology, nail technology, or esthetics; 46 SDR 137, May 26, 2020.
6-19-2020	<u>South Dakota State Historical Society (Department of Education)</u> : Amend rules to set standard fees for services provided by the State Historical Society; 46 SDR 93, January 27, 2020.
6-22-2020	<u>South Dakota Board of Barber Examiners (Department of Labor and Regulation)</u> : Amend rules to update and establish various rules regarding barber schools including initial approval of barber schools, school equipment requirements, and inspections of schools; clarify requirements for annual renewal of school licenses; update educational material requirements regarding textbooks and student tool kits; establish curriculum requirements; allow for distance learning; set maximum number of hours a licensed cosmetologist, nail technician, or esthetician may be granted credit for related hours and curriculum when seeking to attend barber school to become licensed as a barber; allow credit for hours from other institutions for individuals seeking barber education; update instructor requirements for initial licensure; establish instructor requirements and responsibilities; and set requirements for student barber practice; 46 SDR 137, May 26, 2020.
6-25-2020	<u>Department of Transportation</u> : Amend rules to lengthen the 45 miles per hour speed limit zone on State Trunk Highway 44 in Parkston; and reduce speed limits on certain highways in specific communities when traffic is passing a school during a school recess or while children are going to or leaving school during its opening or closing hours including State Trunk Highway 37 in Groton; State Trunk Highway 127 in Rosholt; U.S. Highway 14 in DeSmet, Lake Preston, and Miller; State Trunk Highway 47 in Highmore; State Trunk Highway 247 in Roscoe; U.S. Highway 212 in Belle Fourche, Faulkton, and Newell; U.S. Highway 12 in Lemmon; U.S. Highways 16 and 16B in Hill City; State Trunk Highway 40 in Hermosa; State Trunk Highway 240 in Wall; U.S. Highway 18 in Hot Springs; Interstate Highway 90 service road in Summerset; State Trunk Highway 11 in Brandon; State Trunk Highway 38 in Hartford; State Trunk Highway 37P in Springfield; State Trunk Highway 46 in Wagner; State Trunk Highway 25 in Scotland; State Trunk Highway 34 in Woonsocket; U.S. Highway 81 in Salem; State Trunk Highway 73 in Philip; State Trunk Highway 20 in Hoven; State Trunk Highway 1804 in Mobridge; U.S. Highway 83 in Fort Pierre and Herreid; and State Trunk Highway 63 in McLaughlin; 46 SDR 143, June 8, 2020.
6-26-2020	<u>South Dakota State Board of Dentistry (Department of Health)</u> : Amend rules to update clinical competency examination requirements due to the COVID-19 impact; update radiography administrative rules, training programs, and registration requirements; remove redundant regulations and obsolete provisions; and update references; 46 SDR 137, May 26, 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.