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.

Department of Health: (June 10, 2020) intends to amend rules to update the form used by a physician to comply with the requirements of SDCL 34-23A-10.1 (1). The general authority for these rules, as cited by the department, is SDCL 34-23A-10.5.

A public hearing will be held in the Large Conference Room, Health Laboratory Building, 615 East Fourth Street, Pierre, South Dakota, on July 20, 2020, at 1:30 p.m. CT. Interested parties may also attend by calling (866) 410-8397 and using conference code 340-849-8017. Copies of the proposed rule may be obtained without charge from and written comments sent to the Department of Health, 600 East Capitol Avenue, Pierre, South Dakota 57501. The comment period will close on July 30, 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) 773-3361 at least 48 hours before the public hearing.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Final Administrative Rules

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION: 70:01:02:00, 70:01:02:49.

History/Notice: 46 SDR 122, April 27, 2020
Hearing: May 28, 2020
Filed: June 10, 2020
Effective: June 30, 2020

SOUTH DAKOTA ELECTRICAL COMMISSION (DEPARTMENT OF LABOR AND REGULATION): 20:44:14:01.

History/Notice: 46 SDR 112, March 30, 2020
Hearing: May 27, 2020
Filed: June 10, 2020
Effective: June 30, 2020

CIVIL SERVICE COMMISSION (BUREAU OF HUMAN RESOURCES): 55:09:04:01, 55:09:04:02, 55:09:04:04.01, 55:09:04:05, 55:09:04:12.

History/Notice: 46 SDR 127, May 11, 2020
Hearing: May 27, 2020
Filed: June 11, 2020
Effective: July 1, 2020

DEPARTMENT OF GAME, FISH AND PARKS: 41:06:22:01, 41:06:22:01.01, 41:06:22:02; 41:06:49:04; 41:06:55:01; 41:07:03:02.01; 41:10:02:04.

History/Notice: 46 SDR 119, April 20, 2020
Hearing: May 7, 2020
Filed: June 12, 2020
Effective: July 2, 2020

SOUTH DAKOTA DIVISION OF INSURANCE (DEPARTMENT OF LABOR AND REGULATION): 20:06:12:07; 20:06:13:17.16, 20:06:13 Appendix D; 20:06:19:04; 20:06:25:01, 20:06:25:01.01, 20:06:25:01.02, 20:06:25:02; 20:06:26:01; 20:06:36:01; 20:06:59:01; 20:06:60:01, 20:06:60:02, 20:06:60:03, 20:06:60:04, 20:06:60:05, 20:06:60:06, 20:06:60:07.

History/Notice: 46 SDR 122, April 27, 2020
Hearing: May 19, 2020
Filed: June 12, 2020
Effective: July 2, 2020

Executive Appointment

Appointee	Appointed by	Succeeding	Effective/End Date
State Plumbing Commission			
Duane Levanen Bryant	Governor	David Hanson	4/28/2020 – 4/14/2023

SCHEDULED PUBLIC HEARINGS

6-19-2020	**South Dakota Cosmetology Commission (Department of Labor and Regulation):** 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	**South Dakota State Historical Society (Department of Education):** Amend rules to set standard fees for services provided by the State Historical Society; 46 SDR 93, January 27, 2020.
6-22-2020	**South Dakota Board of Barber Examiners (Department of Labor and Regulation):** 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 took 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	**Department of Transportation:** 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	**South Dakota State Board of Dentistry (Department of Health):** 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.
7-20-2020	**Department of Health:** Amend rules to update the form used by a physician to comply with the requirements of SDCL 34-23A-10.1 (1); 46 SDR 146, June 15, 2020.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2020 Interim is Tuesday, July 14, 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 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.

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