



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.

South Dakota Board of Massage Therapy (Department of Health): (June 29, 2020) intends to amend rules to update provisions related to inactive licenses and CEU credits and establish a fee for late renewals. The general authority for these rules, as cited by the board, is SDCL 36-35-17, 36-35-18.1, and 36-35-24.

A public hearing will be held on July 15, 2020, at 4:00 p.m. MT at the South Dakota Department of Labor, 2330 North Maple, #1, Rapid City, South Dakota. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Board of Massage Therapy, 1103 Park Hill Drive, Rapid City, South Dakota 57701. Material sent by mail must reach the board by July 13, 2020, to be considered. This hearing is being held in a physically accessible location. Persons with special needs for which the board can make arrangements may call (605) 858-1708 at least 48 hours before the public hearing.

Department of Social Services: (June 29, 2020) intends to amend rules to align with federal subsidy language and federal requirements stemming from the Model Licensing Standards for Foster Care; clean up outdated or incorrect language; and add a new rule detailing the grievance procedures for group care facilities. The general authority for these rules, as cited by the department, is SDCL 26-4-7, 26-4-9, 26-4-9.1, 26-6-16, and 28-1-64.

A public hearing will be held telephonically on July 27, 2020, at 9:00 a.m. CT. Interested parties may attend by calling 1-844-833-2681 and using conference code 0094258#. Copies of the proposed rules may be obtained without charge from Teresa Schulte, Department of Social Services, 811 East 10th Street, Sioux Falls, South Dakota 57103 or online at <http://rules.sd.gov>. Written comments may be sent to Teresa Schulte, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501. Material sent by mail must reach the department by August 6, 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) 367-5444, extension 1000309 at least 48 hours before the public hearing.

Department of Transportation: (June 30, 2020) intends to amend rules to eliminate a limited speed zone on State Trunk Highway 50 west of Wagner; redefine the starting point of the speed zones on State Trunk Highway 46 in and around Wagner; shorten the current 35 miles per hour speed zone and introduce a 45 miles per hour speed zone on each end of the 35 miles per hour speed zone on U.S. Highway 16 adjacent to Jewel Cave National Monument; correct the starting point references for the 50 miles per hour speed zone on U.S. Highway 212 in Faulkton; extend the 45 miles per hour speed limit on U.S. Highway 14 in Highmore; extend the 45 miles per hour speed zone on South Dakota Highway 11 west of Canton; and amend rules governing the mowing of state trunk highway rights-of-way. The general authority for these rules, as cited by the department, is SDCL 31-5-21, 32-25-7, and 32-25-7.1.

A public hearing will be held July 23, 2020, at 9:00 a.m. CT in the Commission Room of the Becker Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota. Interested parties may also 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 July 20, 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.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Legislative Appointment

Casey Crabtree, Madison, was officially appointed on June 26, 2020, to the **South Dakota Senate**, to fill the District 8 vacancy created by the resignation of Senator Jordan Youngberg. The appointment is effective immediately.

Executive Appointments

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeding</u>	<u>Effective/End Date</u>
State Board of Regents Brock Brown Lake Norden	Governor	Lucas Lund	7/1/2020 – 6/30/2022
Board of Tourism Ann Lesch DeSmet	Governor	Reappointed	7/1/2020 – 6/30/2024
Board of Vocational Rehabilitation Lisa Merchen Spearfish	Governor	Lisa Sanderson	6/17/2020 – 6/30/2023
South Dakota Health and Educational Facilities Authority James Scull Rapid City	Governor	Reappointed	7/1/2020 – 6/30/2025

SCHEDULED PUBLIC HEARINGS

7-15-2020	South Dakota Board of Massage Therapy (Department of Health) : Amend rules to update provisions related to inactive licenses and CEU credits and establish a fee for late renewals; 47 SDR 1, July 6, 2020.
7-16-2020	Department of Game, Fish and Parks : Amend rules to not require a park entrance license to be purchased for any enrolled Yankton Sioux tribal member and their family member to enter North Point Recreation Area, Fort Randall South Shore Recreation Area, Randall Creek Recreation Area, and Fort Randall Spillway Lakeside Use Area; eliminate the administrative fee required for lost or destroyed licenses, permits or game tags; establish a fee for nonresident landowner-on-own-land licenses; reduce the number of resident single tag fall turkey license while increasing the number of resident double tag licenses for Prairie Units; adjust the number of turkey licenses available in the Black Hills; close certain Prairie Units; establish a resident river otter trapping season from November 1 through December 31; and eliminate unnecessary language, amend form and style, update authorities, and arrange rules to be consistent and concise; 46 SDR 151, June 29, 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.
7-23-2020	Department of Transportation : Amend rules to eliminate a limited speed zone on State Trunk Highway 50 west of Wagner; redefine the starting point of the speed zones on State Trunk Highway 46 in and around Wagner; shorten the current 35 miles per hour speed zone and introduce a 45 miles per hour speed zone on each end of the 35 miles per hour speed zone on U.S. Highway 16 adjacent to Jewel Cave National Monument; correct the starting point references for the 50 miles per hour speed zone on U.S. Highway 212 in Faulkton; extend the 45 miles per hour speed limit on U.S. Highway 14 in Highmore; extend the 45 miles per hour speed zone on South Dakota Highway 11 west of Canton; and amend rules governing the mowing of state trunk highway rights-of-way; 47 SDR 1, July 6, 2020.
7-27-2020	Department of Social Services : Amend rules to align with federal subsidy language and federal requirements stemming from the Model Licensing Standards for Foster Care; clean up outdated or incorrect language; and add a new rule detailing the grievance procedures for group care facilities; 47 SDR 1, July 6, 2020.
8-19-2020	Division of Labor and Management (Department of Labor and Regulation) : Amend rules to update references on relative values and allow a party to have a case dismissed for lack of prosecution without prejudice; 46 SDR 149, June 22, 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.