

REGISTER



South Dakota Legislative Research Council

Volume 44

Monday, 8:00 a.m., January 22, 2018

FILINGS IN THE LEGISLATIVE RESEARCH COUNCIL'S OFFICE:

Notice of Proposed Rules: (The date in parentheses is the date the rules were filed with the Legislative Research Council.)

Department of Education: State Library Board: (January 19, 2018) intends to amend rules to clarify language; make consistent with statutory amendments; and remove outdated language from the rules concerning access to public libraries and how certain funding is distributed to public libraries. The general authority for these rules, as cited by the agency, is SDCL § 14-1-59.

A public hearing will be held at the Mackey Building, First Floor, Library Commons, 800 Governors Drive, Pierre, South Dakota, on February 13, 2018, at 1:30 p.m. CT. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Department of Education, Attn. Ferne Haddock, 800 Governors Drive, Pierre, SD 57501 or electronically to ferne.haddock@state.sd.us or <https://rules.sd.gov/default.aspx>. Written comments must reach the Department by February 9, 2018, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the Department can make arrangements are asked to call (605) 773-5055 at least 48 hours before the public hearing.

NOTICE:

The **Department of Human Services**, Division of Long Term Services and Supports (LTSS) is

committed to ensuring that South Dakotans can live and receive services in the most integrated setting according to the individual's preferences and needs. In an effort to make progress towards this initiative, LTSS is submitting an amendment to the House and Community-Based Options and Person Centered Excellence (HOPE) Waiver which serves South Dakotans age 65 and older as well as individuals over the age of 18 who have a qualifying disability. The purpose of this amendment is to expand and enhance home and community-based services for individuals eligible for the HOPE Waiver. The proposed HOPE Waiver Amendment and HOPE Waiver Amendment Summary of Changes is available online at <http://dss.sd.gov/keyresources/hearings.aspx> or <http://dhs.sd.gov/ltss/titlexix.aspx> or by contacting the Division of Long Term Services and Supports at (605) 773-3656 to request a printed copy. The proposed HOPE Waiver Amendment is available for public comment for 30 days beginning January 22, 2018 through February 21, 2018. DHS appreciates your questions and comments. Comments may be made by email to hcbs@state.sd.us, by phone to (605) 773-3656, or by mail to Misty Black Bear, HOPE Waiver Manager, Division of Long Term Services and Supports, Department of Human Services, 3800 East Highway 34, Hillsvie Plaza, c/o 500 East Capitol, Pierre, SD 57501-5070.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Camela C. Theeler, Minnehaha County, was appointed on January 16, 2018, as a Judge of the

Second Judicial Court of South Dakota, to fill a vacancy in the Second Circuit, effective immediately upon taking the oath of office and shall continue until January 1, 2023.

Note: A copy of the rules may be obtained directly from the above agencies or at <https://rules.sd.gov>. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The

following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Revenue, and the Department of Labor and Regulation for Article 47:03.

REMINDER OF HEARINGS SCHEDULED

2-9-2018	Department of Agriculture: intends to amend rules to require all aerial applicators in South Dakota to acquire aerial applicator certification for agricultural plant pest control and right of way; and designate all pesticide products containing only straight Dicamba active ingredient for agricultural use as restricted use pesticides in South Dakota; 44 SDR 117, January 16, 2018.
2-13-2018	Department of Education: State Library Board: intends to amend rules to clarify language; make consistent with statutory amendments; and remove outdated language from the rules concerning access to public libraries and how certain funding is distributed to public libraries; 44 SDR 119, January 22, 2018.
2-23-2018	Office of the Attorney General: intends to amend rules to increase the fee that a participant shall pay for each drug patch while participating in the 24/7 Sobriety Program; 44 SDR 117, January 16, 2018.

RULES REVIEW COMMITTEE MEETING

Watch for notices of 2018 Rules Review Committee meetings in this publication, on the LRC website, and at the Capitol.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the LRC website at <http://www.sdlegislature.gov/Rules/RulesManual.aspx>.