

REGISTER



South Dakota Legislative Research Council

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Monday, 8:00 a.m., February 6, 2017

FILINGS IN THE LEGISLATIVE

RESEARCH COUNCIL'S OFFICE: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Health: Board of Massage Therapy: (January 31, 2017) intends to amend rules relating to applications, temporary permits and inactive licenses, clarify the educational requirements for licensure or a temporary permit, increase the fees for an initial license, renewed license, inactive license and temporary permit, clarify the time period of a continuing education cycle and a licensee's continuing education requirements and recordkeeping requirements, repeal unnecessary rules regarding the board's complaint process, clarify the malpractice insurance requirements of a licensee or temporary permit holder and recordkeeping requirements, clarify the requirements for requesting an inactive license, and updating the list of facilities recognized by the board to provide the education necessary to meet the requirements for licensure. The general authority for these rules, as cited by the board, is SDCL §§ 36-35-12, 36-35-17, 36-35-18.1, 36-35-21, and 36-35-24.

A public hearing will be held at the South Dakota Association of County Officials Board Room, 211 East Prospect Avenue, Pierre, South Dakota, on April 10, 2017, at 10:30 a.m. to consider the adoption of the proposed rules. A copy of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Board of Massage Therapy, P.O. Box 340, Pierre, SD 57501. A copy of the proposed rules may also be obtained at <http://doh.sd.gov/boards/massage/>. Material sent by mail must reach the board by April 8, 2017,

or must be brought to the public hearing to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the board can make arrangements are asked to call (605) 224-1721 at least 48 hours before the hearing.

Department of Education: SD School Finance and Accountability Board: (February 1, 2017) intends to adopt rules to establish an appeals process and a set of factors that will be used to determine if a school district be recommended for a waiver from their accountabilities in regards to teacher compensation as outlined in SDCL § 13-13-73.6. The general authority for these rules, as cited by the board, is SDCL § 1-45-38.

A public hearing will be held at the MacKay Building, First Floor, Library Commons, 800 Governors Drive, Pierre, South Dakota, on March 16, 2017, at 1:00 p.m. CDT. Copies of the proposed rules may be obtained without charge from the Department of Education, Attn: Ferne Haddock, 800 Governors Drive, Pierre, SD 57501 or at <https://rules.sd.gov/default.aspx>. Written comments may be sent to the Department of Education, Attn: Travis Jordan, at the address above or at this website: <https://rules.sd.gov/default.aspx>. Material sent by mail must be received by March 15, 2017, 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) 773-3349 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointment:

Melvin B. Fish, Yankton, was appointed on January 24, 2017, to the **Recreational Trails Program Advisory Council**, effective immediately.

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 Regulation, and the Department of Labor for Article 47:03.

Note: A copy of the rules may be obtained directly from the above agencies or at <https://rules.sd.gov>. Write to the

REMINDER OF HEARINGS SCHEDULED

<p>3-16-2017</p>	<p>Department of Education: SD School Finance and Accountability Board Adopt rules to establish an appeals process and a set of factors that will be used to determine if a school district be recommended for a waiver from their accountabilities in regards to teacher compensation as outlined in SDCL 13-13-73.6; 43 SDR 109, February 6, 2017.</p>
<p>4-10-2017</p>	<p>Department of Health: Board of Massage Therapy Amend rules relating to applications, temporary permits and inactive licenses, clarify the educational requirements for licensure or a temporary permit, increase the fees for an initial license, renewed license, inactive license and temporary permit, clarify the time period of a continuing education cycle and a licensee's continuing education requirements and recordkeeping requirements, repeal unnecessary rules regarding the board's complaint process, clarify the malpractice insurance requirements of a licensee or temporary permit holder and recordkeeping requirements, clarify the requirements for requesting an inactive license, and updating the list of facilities recognized by the board to provide the education necessary to meet the requirements for licensure; 43 SDR 109, February 6, 2017.</p>

RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee will have an informal meeting near the close of the Ninety-second Legislative Session to set the tentative meeting schedule for the 2017 interim. Watch for a notice of this informal meeting 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>.

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