

# REGISTER



## South Dakota Legislative Research Council

Volume 44

Monday, 8:00 a.m., December 4, 2017

### FILINGS IN THE LEGISLATIVE RESEARCH COUNCIL'S OFFICE:

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

#### *Department of Transportation:*

(November 29, 2017) intends to amend rules to revise the speed limits on the Interstate Highway 90 business loop through Chamberlain to match the speed limit signs currently in place on certain segments; adjust the location of speed limit signs at the east end of the bridge over the railroad tracks near Paul Gust Road; replace a reference to the county boundary with a reference to the American Legion Memorial Bridge; establish a 45 mile per hour speed zone on a segment of South Dakota Highway 46 at Pickstown; and extend a 35 mile per hour speed limit on U.S. Highway 14 in Miller to replace a 40 mile per hour speed zone. The general authority for these rules, as cited by the agency, is SDCL § 32-25-7.

A public hearing will be held at the Commission Room, Becker Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota, on December 21, 2017, at 9:00 a.m. CT. Copies of the proposed rules may be obtained without charge from and written comments sent to South Dakota Department of Transportation, 700 E. Broadway Avenue, Pierre, SD 57501-2586. Amendments, data, opinions, and arguments for or against the proposed rules may also be sent electronically to [darin.bergquist@state.sd.us](mailto:darin.bergquist@state.sd.us). Information submitted by mail or e-mail must reach the Department on or before December 17, 2017, to

be considered. A copy of the proposed rules is also available at <http://rules.sd.gov>. 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) 773-3540 or (800) 877-1113 (Telecommunications Device for the Deaf).

### FILINGS IN THE SECRETARY OF STATE'S OFFICE:

#### DEPARTMENT OF AGRICULTURE: SOUTH DAKOTA STATE FAIR:

12:02:01:01; 12:02:02:01, 12:02:02:01.01, 12:02:02:03 to 12:02:02:06, inclusive, 12:02:02:09; 12:02:03:01 to 12:02:03:04, inclusive; 12:02:04:01, 12:02:04:02, 12:02:04:03, 12:02:04:05; 12:02:05:01; 12:02:06:01, 12:02:06:02, 12:02:06:03; 12:02:07:01 to 12:02:07:05, inclusive; 12:02:08:01 to 12:02:08:13, inclusive; 12:02:09:01, 12:02:09:02, 12:02:09:03; 12:02:11:01, 12:02:11:02; 12:02:12:01, 12:02:12:02; 12:02:13:01 to 12:02:13:05, inclusive, 12:02:13:07; 12:02:14:01, 12:02:14:03; 12:02:15:01 to 12:02:15:08, inclusive; 12:02:16:01 to 12:02:16:12, inclusive, 12:02:16:14 to 12:02:16:38, inclusive; 12:02:17:01 to 12:02:17:09, inclusive; 12:02:18:01, 12:02:18:02, and 12:02:18:03.

History-Notice: 44 SDR 71, October 10, 2017  
Hearing: October 31, 2017  
Filed: November 27, 2017  
Effective: December 18, 2017

**DEPARTMENT OF HEALTH: STATE BOARD OF DENTISTRY:** 20:43:06:01, 20:43:06:02, 20:43:06:03, 20:43:06:04, and 20:43:06:05.

History-Notice: 44 SDR 21, July 31, 2017  
 Hearing: October 20, 2017  
 Filed: November 28, 2017  
 Effective: December 18, 2017

**DEPARTMENT OF LABOR AND  
 REGULATION: SOUTH DAKOTA  
 ATHLETIC COMMISSION:** 20:81:01:01,  
 20:81:01:08, 20:81:01:10; 20:81:03:03,  
 20:81:03:04, 20:81:03:08 to 20:81:03:11,  
 inclusive; 20:81:05:05 to 20:81:05:08,  
 inclusive, 20:81:05:10, 20:81:05:11,  
 20:81:05:18, 20:81:05:19, and 20:81:05:21.

History-Notice: 44 SDR 31, August 14, 2017  
 Hearing: October 20, 2017  
 Filed: November 28, 2017  
 Effective: December 18, 2017

**DEPARTMENT OF AGRICULTURE:  
 DIVISION OF AGRICULTURE  
 SERVICES:** 12:26:10:01.

History-Notice: 44 SDR 63, October 2, 2017  
 Hearing: October 24, 2017  
 Filed: November 30, 2017  
 Effective: December 20, 2017

#### **Legislative Appointments:**

**Representative Hugh Bartels** was appointed on December 1, 2017, to the **Government Operations and Audit Committee**, to fill the vacancy created by the death of Representative Craig Tieszen.

**Representative John Lake** was appointed on December 1, 2017, to the **State-Tribal Relations Committee**, to fill the vacancy created by the death of Representative Craig Tieszen.

#### **Executive Appointments:**

**Becky Guffin**, Aberdeen, was appointed on November 27, 2017, to the **South Dakota Board of Education Standards**, to replace

Don Kirkegaard, effective December 31, 2017 and shall continue until December 31, 2018.

**The Honorable Tami Bern**, Vermillion, was appointed on November 29, 2017, to the **Council of Juvenile Services**, to replace the Honorable Steven Jensen, effective immediately and shall continue until October 30, 2018.

**Dawn M. Elshere**, Codington County, was appointed on November 29, 2017, as a Judge of the **Third Judicial Circuit Court of South Dakota**, to fill a vacancy in the Third Circuit, effective immediately upon taking the oath of office and shall continue until January 1, 2023.

**Dr. Tara Schaack**, Rapid City, was reappointed on November 29, 2017, to the **State Board of Dentistry**, effective immediately and shall continue until October 30, 2020.

**Lois Tschetter**, Brookings, was appointed on November 29, 2017, to the **South Dakota Board of Nursing**, to replace June Larson, effective immediately and shall continue until October 30, 2020.

**Amber Bruns**, Sioux Falls, was appointed on November 30, 2017, to the **Board of Social Work Examiners**, to replace Dr. Pamela Osnes, effective immediately and shall continue until October 30, 2019.

**Amber A. Determan**, Mitchell, was reappointed on November 30, 2017, to the **State Board of Dentistry**, effective immediately and shall continue until October 30, 2020.

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

<b>12-14-2017</b>	<b>Department of Game, Fish and Parks:</b> Adopt a rule to require all bait dealers to list employees/agents on their application that will engage in trapping, transporting, delivering, raising, or seining bait; and allow the Department to refuse the issuance of a license to a bait dealer with an employee/agent who has had their bait dealer license suspended, revoked, or been denied a bait dealer license; 44 SDR 98, November 27, 2017.
<b>12-15-2017</b>	<b>Department of Education: South Dakota Board of Technical Education:</b> Transfer existing rules from Article 24:10 under the Board of Education Standards to Article 24:59 under the Board of Technical Education; and amend relevant references from the director of Career and Technical Education to the Executive Director of the Board of Technical Education, from the Board of Education Standards to the Board of Technical Education, and from the Department of Education to the Board of Technical Education; 44 SDR 97, November 27, 2017.
<b>12-21-2017</b>	<b>Department of Transportation:</b> Amend rules to revise the speed limits on the Interstate Highway 90 business loop through Chamberlain to match the speed limit signs currently in place on certain segments; adjust the location of speed limit signs at the east end of the bridge over the railroad tracks near Paul Gust Road; replace a reference to the county boundary with a reference to the American Legion Memorial Bridge; establish a 45 mile per hour speed zone on a segment of South Dakota Highway 46 at Pickstown; and extend a 35 mile per hour speed limit on U.S. Highway 14 in Miller to replace a 40 mile per hour speed zone; 44 SDR 101, December 4, 2017.
<b>12-22-2017</b>	<b>Department of Agriculture: South Dakota Veterinary Medical Examining Board:</b> Amend rules to update application and assessment requirements for veterinarians seeking licensure in South Dakota; update current language of reference materials and names of national veterinary assessments and scores; eliminate the option of licensure by endorsement of another state's veterinary licensing authority; and update application requirements for persons seeking registration as a veterinary technician; 44 SDR 97, November 27, 2017.

### RULES REVIEW COMMITTEE MEETING

The Interim Rules Review Committee has completed their meeting schedule for the 2017 interim. Watch for notices of 2018 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>.

The **South Dakota Register**, ISSN 0191-1104, is published by the South Dakota Legislative Research Council pursuant to SDCL 1-26A-1. Information from the Register is available free of charge on the LRC website: [www.sdlegislature.gov/](http://www.sdlegislature.gov/). You may subscribe to electronic delivery of the **South Dakota Register** at *My LRC* on the LRC website.