

# REGISTER



## South Dakota Legislative Research Council

Volume 38

Tuesday, 8:00 a.m., January 3, 2012

**NOTICES OF PROPOSED RULES:** The date in parentheses is the date the rules were filed in the Legislative Research Council.)

**Department of Transportation:** (December 27, 2011) is proposing to amend rules to make farm wineries licensed pursuant to SDCL § 35-12-2 eligible for tourist-oriented directional signing in the highway right-of-way under certain conditions; include farm wineries in the definition of "services of motorists;" add farm winery advertising panels into the rules for authorized business signs; and provide minimum eligibility requirements of farm wineries. The general authority for these rules, as cited by the department, is SDCL § 31-29-80.1.

A public hearing will be held in the Commission Room of the Becker Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota, on January 26, 2012, at 9:05 a.m. CST. 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 57501-2586. Material sent by mail must reach the department by January 25, 2012, 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) 773-3540 or 1-800-877-1113 (Telecommunication Device for the Deaf).

### NOTICES:

According to SDCL § 45-6B-77, the **Department of Environment and Natural Resources** has filed with the Legislative

Research Council a master list of all permits, notices, and certificates for mining which may be required by law or rule.

According to SDCL § 1-40-42, the **Department of Environment and Natural Resources** has filed with the Legislative Research Council the annual report for the State Recycling Program. The report provides information regarding the state office paper, plastic, magazine and newspaper recycling program.

A copy of each report may be reviewed or copied at the office of the Legislative Research Council during normal business hours or a copy may be obtained from the department.

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

**DEPARTMENT OF LABOR AND REGULATION: BOARD OF TECHNICAL PROFESSIONS:** Chapters 20:38:12 to 20:38:24, inclusive; and Chapters 20:38:27 to 20:38:39, inclusive.

History-Notice: 38 SDR 79, October 31, 2011  
Hearing: November 18, 2011  
Filed: December 27, 2011  
Effective: January 16, 2012

**DEPARTMENT OF HEALTH: BOARD OF PHARMACY:** 20:51:29:00 to 20:51:29:04, inclusive, 20:51:29:06, 20:51:29:11, and 20:51:29:16.

History-Notice: 38 SDR 87, Nov. 7, 2011  
Hearing: December 9, 2011  
Filed: December 28, 2011  
Effective: January 17, 2012

**DEPARTMENT OF REVENUE: DIVISION OF PROPERTY AND SPECIAL TAXES:**

64:02:01:01; 64:03:01:02.01; 64:04:01:17, 64:04:01:18, and 64:04:01:20.

History-Notice: 38 SDR 87, Nov. 7, 2011  
 Hearing: November 28, 2011  
 Filed: December 28, 2011  
 Effective: January 17, 2012

**Executive Order:**

The Governor has signed **Executive Order 2011-25** dated December 29, 2011. This order provides for the temporary suspension of the requirements for extended period permits for the

use of oversized vehicles used to transport round baled feed for livestock. The order will end after sixty days.

Note: A copy of the rules may be obtained directly from the above agencies. 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 Regulation, and the Department of Labor for Article 47:03.

**REMINDER OF HEARINGS SCHEDULED**

1-26-2012	Transportation	Amend a speed limit on two segments of SD Highway 42 in Minnehaha County from 65 miles per hour to 55 miles per hour; 38 SDR 109.
1-26-2012	Transportation	Amend rules to make farm wineries licensed pursuant to SDCL 35-12-2 eligible for tourist-oriented directional signing in the highway right-of-way under certain conditions; include farm wineries in the definition of "services of motorists;" add farm winery advertising panels into the rules for authorized business signs; and provide minimum eligibility requirements of farm wineries; 38 SDR 121.

**RULES REVIEW COMMITTEE MEETINGS**

The Interim Rules Review Committee will have an informal meeting near the close of the Eighty-seventh Legislative Session to set the tentative meeting schedule for the 2012 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 Legislative Web site at <http://legis.state.sd.us/rules/index.aspx>.

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