

# REGISTER



## South Dakota Legislative Research Council

Volume 45

Monday, 8:00 a.m., August 6, 2018

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

#### DECLARATORY RULING:

The **Public Utilities Commission** of the State of South Dakota has filed with the Legislative Research Council, Declaratory Ruling TC 18-013. In this ruling, the South Dakota Department of Public Safety, 9-1-1 Coordination Board had asked the Commission to determine whether bona fide requests were a prerequisite to determining if rural local exchange carrier (RLEC) exemptions apply when a competitive local exchange carrier (CLEC) is requesting 9-1-1 traffic from a RLEC, assuming voluntary agreements are not feasible. After reviewing the evidence and the applicable administrative rules and statutory authority, the Commission determined that when a CLEC is requesting delivery of 9-1-1 traffic from a RLEC, it must submit a bona fide request for interconnection and file a copy of the request with the Commission. The Declaratory Ruling is dated June 28, 2018.

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

#### Executive Appointments:

**David S. Mickelson**, Sioux Falls, was appointed on June 21, 2018, to the **State Board of Regents**, to replace Bob Sutton, effective June 19, 2018, and shall continue until March 31, 2019.

**Dr. Deidra J. Vangilder**, Watertown, was appointed on June 22, 2018, to the **South Dakota Medicaid Pharmaceutical**

**and Therapeutics Committee**, to replace Debra Farver, effective June 18, 2018.

**Jason C. Ahrendt**, Sioux Falls, was appointed on June 29, 2018, to the **South Dakota Lottery Commission**, to replace Cheryl Bogue, effective June 19, 2018, and shall continue until January 16, 2019.

**Roberta S. Ambur**, Yankton, was appointed on June 29, 2018, to the **South Dakota Health and Educational Facilities Authority**, to replace Gene Lebrun, effective July 1, 2018, and shall continue until June 30, 2023.

**Larry R. Ayres**, Brookings, was appointed on June 29, 2018, to the **South Dakota Advisory Panel for Children with Disabilities**, to replace Heather Stettinichs, effective July 1, 2018, and shall continue until June 30, 2021.

**Chris Blair**, Rapid City, was appointed on June 29, 2018, to the **Fire Marshal's Advisory Board**, to replace James Strain, effective April 19, 2018, and shall continue until April 12, 2022.

**Gregory Carmon**, Brandon, was appointed on June 29, 2018, to the **South Dakota State Railroad Board**, to replace Sheldon Cotton, effective June 21, 2018, and shall continue until October 30, 2018.

**Jennifer Carda**, Tabor, was appointed on June 29, 2018, to the **South Dakota Advisory Panel for Children with Disabilities**, to replace Sarah Carda, effective July 1, 2018, and shall continue until June 30, 2021.

**Charles R. Frieberg**, Pierre, was appointed on June 29, 2018, to the **Juvenile Justice Oversight Council**, to replace Patrick Weber, effective June 19, 2018.

**Elaine K. Fritz**, Baltic, was appointed on June 29, 2018, to the **Board of Service to the Blind and Visually Impaired**, to replace Eric Rippentrop, effective July 1, 2018, and shall continue until June 30, 2021.

**Kristi Hale**, Huron, was appointed on June 29, 2018, to the **Family Support Council**, to replace Keven Moulton, effective July 1, 2018, and shall continue until June 30, 2021.

**Bryan Harberts**, Sioux Falls, was appointed on June 29, 2018, to the **Behavioral Health Advisory Council**, to replace Sheila Weber, effective June 19, 2018, and shall continue until October 30, 2019.

**Bryan Harberts**, Sioux Falls, was appointed on June 29, 2018, to the **Juvenile Justice Oversight Council**, to replace Sheila Weber, effective June 19, 2018.

**Steve Helgeland**, Box Elder, was appointed on June 29, 2018, to the **South Dakota Advisory Panel for Children with Disabilities**, to replace Larry Ayres, effective July 1, 2018, and shall continue until June 30, 2021.

**Syndee K. Jundt**, Aberdeen, was appointed on June 29, 2018, to the **Independent Living Council**, to replace Church Quinn, effective July 1, 2018, and shall continue until June 30, 2021.

**Jacquie Larson**, Pierre, was appointed on June 29, 2018, to the **Behavioral Health Advisory Council**, to replace Ann Larsen, effective June 19, 2018, and shall continue until October 30, 2019.

**Michael V. Luken**, Watertown, was appointed on June 29, 2018, to the **South Dakota Economic Development Finance Authority Board of Directors**, to replace Casey Derflinger, effective July 1, 2018, and shall continue until June 30, 2022.

**Natalie J. Marsh**, Rapid City, was appointed on June 29, 2018, to the **Board of Massage Therapy**, to replace Karen Kappel, effective June 19, 2018, and shall continue until October 30, 2020.

**Jeff Miller**, Brookings, was appointed on June 29, 2018, to the **Civil Service Commission**, to replace Robert Grandpre, effective June 19, 2018, and shall continue until June 30, 2020.

**Donald F. Montileaux**, Rapid City, was appointed on June 29, 2018, to the **State Arts Council**, to replace Lynda Clark-Adelstein, effective June 19, 2018, and shall continue until June 30, 2021.

**Kassidy Nelson**, Elkton, was appointed on June 29, 2018, to the **South Dakota Aeronautics Commission**, to replace Arlen Hauge, effective June 19, 2018, and shall continue until October 30, 2019.

**Stacy R. Nemeč**, Pierre, was appointed on June 29, 2018, to the **South Dakota Advisory Panel for Children with Disabilities**, to replace Judy Hoscheid, effective June 19, 2018, and shall continue until June 30, 2021.

**Zay Norman**, Hayes, was appointed on June 29, 2018, to the **Board of Service to the Blind and Visually Impaired**, to replace Kay Miller, effective July 1, 2018, and shall continue until June 30, 2021.

**Barb Peschl**, Tyndall, was appointed on June 29, 2018, to the **Planning Council on Developmental Disabilities**, to replace Peggy Waltner, effective July 1, 2018, and shall continue until June 30, 2021.

**Jeanette Red Bear**, Rapid City, was appointed on June 29, 2018, to the **Independent Living Council**, to replace Marla Bull Bear, effective June 19, 2018, and shall continue until June 30, 2021.

**Timothy P. Reinbold**, Redfield, was appointed on June 29, 2018, to the **Family Support Council**, to replace Christie Hainje, effective June 19, 2018, and shall continue until June 30, 2020.

**Timothy P. Reinbold**, Redfield, was appointed on June 29, 2018, to the **South Dakota Advisory Panel for Children with Disabilities**, to replace Sara Hoogheem, effective June 29, 2018, and shall continue until June 30, 2021.

**Amanda R. Stade**, Brookings, was appointed on June 29, 2018, to the **State Fair Commission**, to replace Peter Nielson, effective June 19, 2018.

**Leonard G. Suel**, Aberdeen, was appointed on June 29, 2018, to the **South Dakota Interagency Coordinating Council**, to replace Fern Barnett, effective June 19, 2018, and shall continue until December 31, 2018.

**Heather Trefz**, Highmore, was appointed on June 29, 2018, to the **South Dakota Advisory Panel for Children with Disabilities**, to replace Shelly Shaw, effective July 1, 2018, and shall continue until June 30, 2021.

**Kim Wadsworth**, Sioux Falls, was appointed on June 29, 2018, to the **South Dakota Advisory Panel for Children with Disabilities**, to replace Penelope McCormick-Gilles, effective

July 1, 2018, and shall continue until June 30, 2021.

**Peggy R. Waltner**, Freeman, was appointed on June 29, 2018, to the **South Dakota Advisory Panel for Children with Disabilities**, to replace Betsy Schwenk, effective July 1, 2018, and shall continue until June 30, 2021.

**Eric M. Weiss**, Pierre, was appointed on June 29, 2018, to the **Independent Living Council**, to replace Bernie Grimme, effective July 1, 2018, and shall continue until June 30, 2021.

**Ronda L. Williams**, Pierre, was appointed on June 29, 2018, to the **Independent Living Council**, to replace Sandra Neyhart, effective July 1, 2018, and shall continue until June 30, 2021.

**Representative Nancy L. York**, Watertown, was appointed on June 29, 2018, to the **State Council for Educational Opportunity for Military Children**, to replace Representative Jacqueline Sly, effective June 19, 2018.

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**

<p><b>8-6-2018</b></p>	<p><b>Department of Agriculture:</b> Amend rules to remove unnecessary definitions; add a definition for small or beginning farmer; repeal "building our South Dakota rural communities" (BOSDRC) grant rules; update language regarding conservation tillage equipment loans; combine rules for participation loan programs; allow direct loans to be</p>
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	provided; enhance the way the Secretary of Agriculture sets interest rates; repeal livestock loan rules; and repeal rules regarding the Beginning Farmer Down Payment Guaranty Program; 44 SDR 197, June 25, 2018.
<b>8-10-2018</b>	<b>Department of Labor and Regulation: Appraiser Certification Program:</b> Amend rules to define AMC National Registry, appraiser panel, covered transaction, federally regulated appraisal management company, federally related transaction regulations, and secondary mortgage market participant; require new application for change of ownership; correct typographical errors; clarify requirements for quality control system; specify requirements for Standard 3 reviews and compliance with uniform standards; require appraisal fee to be paid within 45 days; require services comply with specific sections of TILA; clarify certain grounds for disciplinary action; add grounds for disciplinary action to include if an owner has had certain disciplinary action taken, investigation of a controlling person or designated officer, failing to comply with a final order, failure of a controlling person or designated officer to demonstrate good moral character or failing to register as required; and provide for collection and remittance of AMC National Registry fees; 45 SDR 1, July 2, 2018.
<b>8-17-2018</b>	<b>Department of Health:</b> Amend rules to clarify the authority and processes that administer the J-1 Visa Program; 45 SDR 15, July 30, 2018.
<b>8-22-2018</b>	<b>Department of Veterans Affairs:</b> Amend rules to clarify the duties of county veterans' service officers, and simplify the application process; 44 SDR 197, June 25, 2018.
<b>8-30-2018</b>	<b>Office of the Secretary of State:</b> Amend rules to update the notary public application form and revise the fees for statewide voter registration files by adding fees for new parties or parties with alternative political status for just their party voters; 45 SDR 15, July 30, 2018.

### RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2018 Interim is Monday, August 20, 2018, at 10:00 a.m. in Room 414 of the State Capitol. Other meetings scheduled for the 2018 interim will be held September 17 and November 13.

**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>.