

REGISTER



South Dakota Legislative Research Council

Volume 43

Monday, 8:00 a.m., September 12, 2016

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 Labor and Regulation: Division of Securities: (September 8, 2016) is proposing to amend rules to delete references to citations that were previously repealed and delete the Standard & Poor's Corporation Descriptions manual from the list of approved manuals. The general authority for these rules, as cited by the division, is SDCL §§ 47-31B-203, 47-31B-202, 47-31B-302, and 47-31B-605.

A public hearing will be held in the Dave Johnson Insurance Building, 124 S. Euclid Ave., Suite 104, Pierre, South Dakota, on September 26, 2016, at 10:00 a.m. Copies of the proposed rules may be obtained without charge from and written comments sent to the Department of Labor and Regulation, Division of Securities, 124 S. Euclid Ave., Suite 104, Pierre, SD 57501-3185. Written comments must be received by October 7, 2016, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the division can make arrangements are asked to call (605) 773-4823 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

**DEPARTMENT OF AGRICULTURE:
ANIMAL INDUSTRY BOARD:** 12:68:01:01;
12:68:06:01, 12:68:06:02; 12:68:12:07,

12:68:12:08; 12:68:13:12 to 12:68:13:14, inclusive, 12:68:13:18; 12:68:14:01;
12:68:16:02 to 12:68:16:04, inclusive;
12:68:17:01; 12:68:18:07.01; 12:68:19:07;
12:68:24:01; 12:68:25:01, 12:68:25:16,
12:68:25:17; and 12:68:27:01.

History-Notice: 42 SDR 181, June 20, 2016
Hearing: July 12, 2016
Filed: September 6, 2016
Effective: September 26, 2016

Executive Appointments:

Jeffory Erickson, Sioux Falls, was appointed on August 31, 2016, to the **South Dakota Economic Development Finance Authority Board of Directors**, to replace Stephen Jones, effective immediately and shall continue until June 30, 2020.

Don Kettering, Yankton, was appointed on August 31, 2016, to the **South Dakota Economic Development Finance Authority Board of Directors**, to replace Mike Kellar, effective immediately and shall continue until June 30, 2017.

Terry G. Nelson, Black Hawk, was reappointed on August 31, 2016, to the **South Dakota Economic Development Finance Authority Board of Directors**, effective immediately and shall continue until June 30, 2020.

Executive Order:

The Governor has signed **Executive Order 2016-05** dated September 8, 2016. This order rescinds Executive Order 2016-04, effective September 8, 2016. A copy of the Executive

Order is available from the Secretary of State's office.

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

REMINDER OF HEARINGS SCHEDULED

9-14-2016	<p>Department of Revenue: SD Commission on Gaming Amend Racing rules to bring the rules into line with current industry practices, create an ineligible list for horses scratched from a race and create the mechanism for such list, provide for workouts for horses that have not previously been eligible for entry in races, amend the list of prohibited items at the race track, remove Flunixin from the list of authorized substances, allow emergency medical technicians to conduct medical examinations of licensed persons and allow law enforcement officers to use modern technology to detect prohibited substances; amend Gaming rules to clarify the game of Buster blackjack and add new pay tables, clarify the play of the game, make changes to the name of the game and add pay table options to Bonus Spin blackjack, clarify which licensees may destroy slot machines, and allow for a variation of the game of craps called Bonus craps; 43 SDR 25, August 22, 2016.</p>
9-15-2016	<p>Department of Revenue: South Dakota Lottery Commission Amend rules to adopt the most current Powerball game group rules and Mega Millions game group rules that cleanup and clarify language, add definitions that assist in interpreting the rules, clarify how the existing prize pools and accounts will operate, and improve legal protections for the participating lotteries in regard to decisions made by the individual lotteries in paying prizes; 43 SDR 26, August 22, 2016.</p>
9-20-2016	<p>Department of Education: Board of Education Amend rules to add private, non-profit entities that provide specialized career and technical services and education to the list of eligible recipients for Workforce Education Grants; 43 SDR 21, August 15, 2016.</p>
9-1-2016 Date Changed to 9-21-2016	<p>Bureau of Administration: Obligation Recovery Center Adopt rules to establish specific procedures that must be followed by the Obligation Recovery Center in handling debt and by any state agency, Unified Judicial System, Board of Regents, or constitutional office that refers debt to the Obligation Recovery Center; 43 SDR 21, August 15, 2016.</p>
9-26-2016	<p>Department of Transportation Amend Speed Limits in Codington County on U.S. Highway 81 beginning 1.13 miles south of the junction of U. S. Highway 212 and U.S. Highway 81, then north for 0.7 mile is being reduced from 50 mph to 35 mph; in Custer County, the 35 mph speed limit on State Trunk Highway 36 beginning at the junction of U.S. Highway 16A near the east gate of Custer State Park, then northeasterly for 0.5 mile is being extended an additional 0.2 mile, the speed limit on U.S. Highway 385 and State Trunk Highway 89 beginning at the junction with U.S. Highway 16 in Custer, then south for 0.2 mile is being reduced from 45 mph to 35 mph; repeal a redundant speed limit on U.S. Highway 385 and State Highway 89; amend a speed limit on U.S. Highway 16 and U.S. Highway 385 beginning</p>

	at the junction of U.S. Highway 16 and 385 in the west part of the city of Custer, then easterly to the intersection of Third Street is being reduced to 25 mph; and amend a Rest Area Newspaper Vending Devices rule to require the owner of a newspaper vending device at an interstate rest area to display a clear and visible notice on the device that identifies the name, mailing address, and telephone number of the person responsible for refunds and for the day-to-day operation and maintenance of the devices and display a clearly visible statement that rest area personnel are not responsible for refunds; 43 SDR 35, September 6, 2016.
9-26-2016	Department of Labor and Regulation: Division of Securities Amend rules to delete references to citations that were previously repealed and delete the Standard & Poor's Corporation Descriptions manual from the list of approved manuals; 43 SDR 41, September 12, 2016.
10-18-2016	Office of the Secretary of State: Board of Finance Amend rules to remove the signature definition in order to facilitate electronic signatures, update an obsolete statute reference, and change the minimum salary grade threshold to match the current general pay structure; 43 SDR 35, September 6, 2016.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on Monday, September 26, 2016, in Room 414, Fourth Floor of the State Capitol. Other DDN sites will be: Sioux Falls – University Center, 4801 N. Career Ave., Room FADM 145 and Spearfish – Black Hills State University, 1200 University Station, Room Lib 009. The committee chair has set the following meeting schedule for the 2016 Interim: November 14.

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>.

