

REGISTER



South Dakota Legislative Research Council

Volume 44

Monday, 8:00 a.m., September 25, 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 Health: Division of Health Systems Development and Regulation: (September 21, 2017) intends to amend rules to revise ambulance equipment standards and air ambulance operations, and for the purposes of general cleanup. The general authority for these rules, as cited by the department, is SDCL §§ 34-11-5 and 34-11-6.1.

A public hearing will be held at the Hayes Building, Room 107, 600 East Capitol Avenue, Pierre, South Dakota, on October 25, 2017, at 1:30 p.m. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Department of Health, 600 E. Capitol Avenue, Pierre, SD 57501. Material sent by mail must reach the Department by November 4, 2017, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the Department of Health can make arrangements are asked to call (605) 773-3361 at least 48 hours in advance of the hearing.

Department of Labor and Regulation: Appraiser Certification Program: (September 22, 2017) intends to amend a rule to adopt the 2018-2019 Edition of the Uniform Standards of Professional Appraisal Practice promulgated by the Appraisal Foundation's Appraisal Standards Board effective

January 1, 2018. The general authority for this rule, as cited by the department, is SDCL § 36-21B-3.

A public hearing will be held in the Appraiser Certification Program Conference Room, 308 South Pierre Street, Pierre, South Dakota, on October 25, 2017, at 10:00 a.m. Copies of the proposed rule may be obtained without charge from and written comments sent to the South Dakota Department of Labor and Regulation, Appraiser Certification Program, 308 S. Pierre Street, Pierre, SD 57501-3137. Material sent by mail must reach the Department by November 6, 2017 to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the Department of Labor and Regulation can make arrangements are asked to call (605) 773-4608 at least 48 hours in advance of the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Jack Nelson, Volga, was appointed on September 11, 2017, to the **South Dakota State Railroad Board**, to replace Carl Anderson, effective immediately and shall continue until October 30, 2017.

Dr. Rick Odland, Sioux Falls, was appointed on September 12, 2017, to the **Board of Chiropractic Examiners**, to replace Dr. Dean Berg, effective immediately and shall continue until January 1, 2019.

Steven R. Jensen, Union County, was appointed on September 18, 2017, as a Justice of the **Supreme Court of South Dakota**, to replace Justice Lori S. Wilbur as the justice from the Fourth District, effective immediately upon taking the oath of 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 the Department of Labor and Regulation for Article 47:03.

REMINDER OF HEARINGS SCHEDULED

10-5-2017	Department of Environment and Natural Resources: Water Management Board Adopt rules to update South Dakota's existing surface water discharge and concentrated animal feeding operation permitting rules by incorporating the latest federal regulations by reference and clarifying current rule language; 44 SDR 47, September 5, 2017.
10-10-2017	Office of the Secretary of State Adopt rules to update notary public application and change forms; 44 SDR 47, August 28, 2017.
10-18-2017	Department of Environment and Natural Resources: Division of Environmental Services Amend rules to increase the air fees assessed to businesses that are applicable to the Title V air quality permitting program; 44 SDR 51, September 11, 2017.
10-20-2017	Department of Health: South Dakota Board of Dentistry Amend rules to update the registration process for dental entities to bring it into compliance with SB 47 and repeal obsolete provisions; 44 SDR 21, July 31, 2017.
10-20-2017	Department of Labor and Regulation: South Dakota Athletic Commission Amend rules to clarify provisions of current rules including general definitions; safety requirements for events; responsibilities of event promoters; requirements for contestants in mixed martial arts contests; penalties for mixed martial artists who fail to make weight for a contracted bout; options for correcting a score entered in error; officials required to be in attendance at an event; the role of a cut man at an event; the authority of a ringside physician during a bout; allowable wraps for a mixed martial artist during a bout; requirements for a ring used for a contest; the process by which a contestant can request a review of a bout; and the adoption of unified rules of mixed martial arts; 44 SDR 31, August 14, 2017.
10-20-2017	Department of Health: South Dakota Board of Examiners in Optometry Adopt rules to clarify the expiration of contact lens and spectacle prescriptions; revise minimum requirements for a comprehensive optometric examination to make the rule consistent with current standards for the profession; and allow an optometrist in certain situations to receive credit for live stream continuing education presentations as "live" continuing education; 44 SDR 51, September 11, 2017.

10-25-2017	Department of Health: Division of Health Systems Development and Regulation Amend rules to revise ambulance equipment standards and air ambulance operations, and for the purposes of general cleanup; 44 SDR 59, September 25, 2017.
10-25-2017	Department of Labor and Regulation: Appraiser Certification Program Amend a rule to adopt the 2018-2019 Edition of the Uniform Standards of Professional Appraisal Practice promulgated by the Appraisal Foundation's Appraisal Standards Board effective January 1, 2018; 44 SDR 59, September 25, 2017.

RULES REVIEW COMMITTEE MEETINGS

The final meeting of the Interim Rules Review Committee for the 2017 interim will be 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>.

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