

REGISTER



South Dakota Legislative Research Council

Volume 42

Tuesday, 8:00 a.m., October 13, 2015

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Administrative Rules:

GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT: BOARD OF ECONOMIC DEVELOPMENT: 68:02:08:01, 68:02:08:02; 68:02:09:01, and 68:02:09:02.

History-Notice: 42 SDR 13, July 27 2015
Hearing: August 11, 2015
Filed: October 5, 2015
Effective: October 26, 2015

FILINGS IN THE LEGISLATIVE RESEARCH COUNCIL'S OFFICE:

Administrative Rules:

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: Appraiser Certification Program: (October 2, 2015) intends to amend rules to add requirement for email address, if available, to the application for supervisory appraisers; change "state of domicile" to "home state" ("or any other jurisdiction"), where applicable, on the applications for certified or licensed appraisers that move to the state and temporary practice; remove the term "summary or self-contained" from experience requirements for state-certified residential and state-certified general appraisers; add a required comma to educational requirements for state-licensed appraisers; adopt the 2016-2017 Edition of the Uniform Standards of Professional Appraisal Practice; require

appraisers to retain "all" not just "any" written reports; and include grounds for disciplinary action against those not certified, licensed or registered who perform an appraisal review requiring the services of an accredited appraiser. The general authority for these rules, 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 November 5, 2015, at 10:00 a.m. A copy of the proposed rules may be obtained from and written comments sent to the Department of Labor and Regulation, Appraiser Certification Program, 308 South Pierre Street, Pierre, South Dakota 57501. Material sent by mail must reach the department by November 16, 2015, to be considered at the public hearing. The department will keep the comment period open until May 18, 2015, for written comments. 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) 773-4608 at least 48 hours before the hearing.

Department of Labor and Regulation: South Dakota Athletic Commission: (October 9, 2015) intends to amend rules to increase the number of days required between approval of an event and the date of the event, clarify requirements of promoters to provide certain equipment at an event, increase the minimum fee for an approved event, clarify accepted medical documentation for contestants, clarify requirements for meeting certain promoter requirements in advance of an event, increase the number of days allowed for final reports and

fees to be submitted by the promoter, require a security plan to be provided by a promoter prior to an event, increase the number of rounds a referee may officiate in one contest, increase the time period allowed for weigh-ins prior to an event, and clarify responsibilities of the Commission's designee. The general authority for these rules, as cited by the department, is SDCL 42-12-10.

A public hearing will be held in Conference Room #3, Kneip Building, 700 Governors Drive, Pierre, South Dakota, on November 23, 2015, at 11:00 a.m. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Athletic Commission, PO Box 340, Pierre, South Dakota 57501. Material sent by mail must reach the Athletic Commission by November 20, 2015, to be considered. Copies of the proposed rules may also be obtained at the commission's website at

<http://dlr.sd.gov/bdcomm/athletic/default.aspx>.

This hearing is being held in a physically accessible place. Persons who have special needs for which the commission can make arrangements are asked to call (605) 224-1721 at least 48 hours before the hearing.

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

<p>10-16-2015</p>	<p>Department of Health: Board of Dentistry Amend rules to remove obsolete provisions and references; update references; update permits to administer general anesthesia and deep sedation, moderate sedation, nitrous oxide inhalation analgesia, local anesthesia and permits to monitor patients under anesthesia or sedation; require continued competency for anesthesia and sedation permit holders; update rules related to contracting with licensed anesthesia providers; allow a dentist that holds a general anesthesia and deep sedation or moderate sedation permit to authorize a dental hygienist, registered dental assistant or dental assistant operating under direct visual supervision to inject medication pursuant to a verbal command and set forth the requirements for this authorization to occur; and update the anesthesia credentials committee; 42 SDR 47, September 21, 2015.</p>
<p>10-19-2015</p>	<p>Department of Labor and Regulation: Division of Insurance Amend rules to update the insurance holding companies reporting requirements and amend rules regarding certificates of creditable coverage; 42 SDR 52, September 28, 2015.</p>
<p>11-5-2015</p>	<p>Department of Labor and Regulation: Appraiser Certification Program Amend rules to add requirement for email address, if available, to the application for supervisory appraisers; change "state of domicile" to "home state" ("or any other jurisdiction"), where applicable, on the applications for certified or licensed appraisers that move to the state and temporary practice; remove the term "summary or self-contained" from experience requirements for state-certified residential and state-certified general appraisers; add a required comma to educational requirements for state-licensed appraisers; adopt the 2016-2017 Edition of the Uniform Standards of Professional Appraisal Practice; require appraisers to retain "all" not just "any" written reports; and</p>

	include grounds for disciplinary action against those not certified, licensed or registered who perform an appraisal review requiring the services of an accredited appraiser; 42 SDR 57, October 13, 2015.
11-23-2015	Department of Labor and Regulation: South Dakota Athletic Commission Amend rules to increase the number of days required between approval of an event and the date of the event, clarify existing rules regarding the requirements of promoters to provide certain equipment at an event, increase the minimum fee for an approved event, clarify existing rules regarding accepted medical documentation for contestants, clarify the requirements for meeting certain promoter requirements in advance of an event, increase the number of days allowed for final reports and fees to be submitted by the promoter, require a security plan to be provided by a promoter prior to an event, increase the number of rounds a referee may officiate in one contest, increase the time period allowed for weigh-ins prior to an event, and clarify responsibilities of the Commission's designee; 42 SDR 57, October 13, 2015.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on Monday, November 9, 2015, in Room 414, Fourth Floor of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2015 interim: December 14.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the LRC website at <http://legis.sd.gov/Rules/RulesManual.aspx>.