

# REGISTER



## South Dakota Legislative Research Council

Volume 44

Monday, 8:00 a.m., February 5, 2018

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

**Notice of Proposed Rules:** (The date in parentheses is the date the rules were filed with the Legislative Research Council.)

**Office of the Attorney General:**

**Law Enforcement Officers Standards and Training Commission:** (January 30, 2018) intends to amend rules to establish a training program for drug detection, explosives detection, and patrol canine teams; establish a curriculum including minimum hours of training and specific subject areas for training; and allow for reciprocity and waivers by the commission for canine teams certified in other jurisdictions or teams with members previously separately certified. The general authority for these rules, as cited by the commission, is SDCL §§ 23-3-35 and 23-3-35.5.

A public hearing will be held at the George S. Mickelson Criminal Justice Center, Commission Conference Room, 1302 East Highway 14, Pierre, South Dakota, on February 27, 2018, at 4:00 p.m. CT. Copies of the proposed rules may be obtained without charge from and written comments sent to the Law Enforcement Officers Standards and Training Commission, 1302 E. Highway 14, Pierre, SD 57501. Materials sent by mail must reach the Commission by February 27, 2018, to be considered. The comment period will remain open until the conclusion of the public hearing on February 27, 2018. 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) 773-3584 at least 48 hours before the public hearing.

**Department of Health: Board of Medical and Osteopathic Examiners:** (February 2, 2018) intends to amend rules to establish the number of continuing education hours required for physical therapists and physical therapy assistants. The general authority for these rules, as cited by the board, is SDCL § 36-10-36.

A public hearing will be held at the First Dakota National Bank building, Room 215, 101 N. Main Avenue, Sioux Falls, South Dakota, on March 8, 2018, at 10:00 a.m. The public hearing will also be accessible via the Dakota Digital Network (DDN) at the following locations: CAP A, 500 East Capitol, Pierre, South Dakota, and the SDSM&T Public Room, 501 East St. Joseph Street, EEP Building, Room 144, Rapid City, South Dakota. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Board of Medical and Osteopathic Examiners, 101 N. Main Ave., Ste. 301, Sioux Falls, SD 57104. A copy of the proposed rules is also available at <http://sdbmoe.gov> and <http://rules.sd.gov>. Data, opinions and arguments may also be sent electronically to [SDBMOE@state.sd.us](mailto:SDBMOE@state.sd.us). Materials sent by mail or email must reach the Board by March 4, 2018, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the Board can make arrangements are asked to call (605) 367-7781 at least 48 hours before the public hearing.

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

effective January 31, 2018 and shall continue until January 31, 2022.

**Executive Appointments:**

**Steven J. Zellmer**, Rapid City, was reappointed on January 30, 2018, to the **South Dakota Building Authority**, effective January 9, 2018 and shall continue until January 17, 2022.

**Timothy Engel**, Fort Pierre, was appointed February 1, 2018, to the **Commission on Judicial Qualifications**, to replace Jim Seward,

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**

<b>2-9-2018</b>	<b>Department of Agriculture:</b> intends to amend rules to require all aerial applicators in South Dakota to acquire aerial applicator certification for agricultural plant pest control and right of way; and designate all pesticide products containing only straight Dicamba active ingredient for agricultural use as restricted use pesticides in South Dakota; 44 SDR 117, January 16, 2018.
<b>2-13-2018</b>	<b>Department of Education: State Library Board:</b> intends to amend rules to clarify language; make consistent with statutory amendments; and remove outdated language from the rules concerning access to public libraries and how certain funding is distributed to public libraries; 44 SDR 119, January 22, 2018.
<b>2-23-2018</b>	<b>Office of the Attorney General:</b> intends to amend rules to increase the fee that a participant shall pay for each drug patch while participating in the 24/7 Sobriety Program; 44 SDR 117, January 16, 2018.
<b>2-27-2018</b>	<b>Office of the Attorney General: Law Enforcement Officers Standards and Training Commission:</b> intends to amend rules to establish a training program for drug detection, explosives detection, and patrol canine teams; establish a curriculum including minimum hours of training and specific subject areas for training; and allow for reciprocity and waivers by the commission for canine teams certified in other jurisdictions or teams with members previously separately certified; 44 SDR 123, February 5, 2018.
<b>3-8-2018</b>	<b>Department of Health: Board of Medical and Osteopathic Examiners:</b> intends to amend rules to establish the number of continuing education hours required for physical therapists and physical therapy assistants; 44 SDR 123, February 5, 2018.

**RULES REVIEW COMMITTEE MEETING**

Watch for notices of 2018 Rules Review Committee meetings in this publication, 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 LRC website at <http://www.sdlegislature.gov/Rules/RulesManual.aspx>.



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