

AN ACT

ENTITLED, An Act to revise provisions related to the Board of Technical Professions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 34-9-10 be amended to read:

34-9-10. A municipality may not transfer surplus funds under § 34-9-9 unless:

- (1) No other hospital operates within the municipality and the Department of Health has issued no license for the operation of a hospital within the municipality;
- (2) At least fifty percent of the total cost of the construction project has been raised from sources other than those to be derived through the transfer of the surplus funds, based upon estimates of any architect or firm of architects registered by the Board of Technical Professions; and
- (3) The articles of incorporation of the hospital corporation provide that no part of the hospital corporation's earnings shall inure, or may lawfully inure, to the benefit of any member or private shareholder.

Funds acquired through legal tax levy in the municipality may not be transferred.

Section 2. That § 43-20-2 be amended to read:

43-20-2. Terms used in this chapter mean:

- (1) "Accessory to a corner," any exclusively identifiable physical object whose spatial relationship to the corner is recorded. The term includes bearing trees, bearing objects, monuments, reference monuments, line trees, pits, mounds, charcoal-filled bottles, steel or wooden stakes, or other similar objects;
- (2) "Board," the Board of Technical Professions;
- (3) "Corner," unless otherwise qualified, a property corner, a property controlling corner, or a public land survey corner;

- (4) "Monument," an accessory that is presumed to occupy the exact position of a corner;
- (5) "Property controlling corner," any corner that may or may not lie on a property line, but that controls the location for one or more property corners;
- (6) "Property corner," a geographic point that controls a property line;
- (7) "Public land survey corner," any corner established and monumented in an original survey or resurvey used as a basis of legal description for issuing a patent for the land to a private person from the state or federal government;
- (8) "Reference monument," a special monument that does not occupy the same geographical position as the corner itself, but whose spatial relationship to the corner is recorded and serves to witness the corner;
- (9) "Survey," any field operation in which corners are used to locate streets, roads, utilities, airports, railroads, buildings, dams, canals, drainage ways, or any other works as well as property boundaries;
- (10) "Registered land surveyor," a person who is licensed by the board and is in good standing and legally authorized to practice land surveying in this state.

Section 3. That § 43-20-7 be amended to read:

43-20-7. The board shall, by rule adopted pursuant to chapter 1-26, prescribe the method of construction and placement of corner markers or monuments used to identify reference points on plats and the information that is necessary to be included in the corner file. The board shall prescribe the form in which the corner record shall be presented and filed.

An Act to revise provisions related to the Board of Technical Professions.

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I certify that the attached Act
originated in the
HOUSE as Bill No. 1036

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1036  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office
this \_\_\_\_ day of \_\_\_\_\_,
20\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby
approved this \_\_\_\_\_ day of
\_\_\_\_\_, A.D., 20\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State