AGENDA Revised 8/13/18
Rules Review Committee

Representative Jean Hunhoff, Chair
Senator Alan Solano, Vice Chair

Three hundred seventy-fourth meeting
Monday
August 20, 2018

Room 414
State Capitol
Pierre, South Dakota

Agencies are asked to have a representative present at the meeting to give background information on their rules.

10:00 a.m. CDT Call to order, roll call, approval of minutes, and staff report

Review of proposed rules

Representative Bartling

Department of Health: South Dakota State Board of Dentistry: Amend rules to remove obsolete provisions, update references, clarify and update requirements regarding licensure and registration, clinical competency examinations, and continuing education to make the rules more uniform; and move administrative rules to better organize rules by designated licensee or registrant categories.

Representative Hunhoff

Department of Health: Board of Certified Professional Midwives: Amend rules to address definitions, licensing, scope of practice, fees, and disciplinary procedures for midwives.

Department of Health: Amend rules to revise the definition of tattooing to include microblading, and to clarify that municipalities may regulate microblading under the regulations for tattooing.

Senator Solano

Department of Game, Fish and Parks: Amend rules to prohibit people from bringing firewood that has been in an emerald ash borer quarantined area or out of South Dakota into state parks unless it has a label certifying it has been treated for emerald ash borer; eliminate no boating zones on East Oakwood Lake, the Windgate Arm portion of Waubay Lake, Silver Lake, Crow Lake, Whitewood Lake Waterfowl Refuge, and the portions of Island Lake north of McCook County Road 6 and north of Minnehaha County Road 110; eliminate a no boating zone and restrict the type of boats and motors used on Putney Slough Game Production Area, Long Lake, Mckilligan Lake, Horseshoe Lake, Spirit Lake, Lehrman Game Production Area, Clear Lake, and Cottonwood Lake Waterfowl Refuge; restrict the type of boats and motors used on Swan Lake; eliminate the no motorized zone on the meandered portion of Milwaukee Lake; change Bear Butte Lake from a "no motor over 25 horse power" to a "no wake zone"; eliminate the East Oakwood Lake State Waterfowl Refuge, Sand Lake State Game Bird Refuge, and Whitewood Lake State Waterfowl Refuge; modify the size of the Waubay State Game Refuge; exclude from the refuge the area owned by Game, Fish and Parks on the southern portion of Cottonwood Lake; eliminate a number of archery restrictions; eliminate language regarding hunting elk with a certain mechanical broadhead or a bow or a certain fixed blade broadhead or a bow; eliminate Sand Lake National Wildlife Refuge from Unit 2 and create a new unit, Unit 3, to include Sand Lake National Wildlife Refuge and establish hunting

seasons; reduce one-tag turkey resident licenses for the Black Hills from 400 to 200, the one-tag any turkey resident license from 1,230 to 925, and the two-tag resident license from 50 to 0; eliminate Lawrence, Meade, and Pennington Counties from Unit PFT-BH1; close units PFT-08A, PFT-12A, PFT-13A, PFT-37A, PFT 53A, and PFT 62A; expand unit PFT-48A to include all of Roberts County; create a new unit PFT-39A in Jackson County; and change fish harvest regulations for Reetz Lake in Day County.

Department of Agriculture: Amend rules to remove unnecessary definitions; add a definition for small or beginning farmer; repeal "building our South Dakota rural communities" (BOSDRC) grant rules; update language regarding conservation tillage equipment loans; combine rules for participation loan programs; allow direct loans to be provided; enhance the way the Secretary of Agriculture sets interest rates; repeal livestock loan rules; and repeal rules regarding the Beginning Farmer Down Payment Guaranty Program.

Representative Haugaard

Department of Education: South Dakota Board of Education Standards: Repeal certain rules regarding postsecondary technical education to permit the Board of Technical Education to assume authority over the postsecondary technical institutes; amend rules to allow educators an additional year to complete the required coursework for CTE educator certification; create a new educator certification endorsement for the Government and Public Administration Career Cluster; and amend high school graduation requirements for South Dakota schools.

Senator Russell

Department of Labor and Regulation: SD Cosmetology Commission: Amend rules to eliminate two-tier instructor licensing; allow for substitute instructors; reduce cosmetology and apprentice education hours; set minimum curriculum hours; clarify school reporting requirements; change the instructor to student ratio; allow students to take their licensure State Board exams prior to finishing their education so that they can immediately join the work force upon completion of their education; and eliminate salon licensure requirements for certain assisted living facilities.

Department of Public Safety: Amend rules to adopt the 2018 edition of the Commercial Vehicle Safety Alliance handbook; establish requirements for certified nonprofit bus inspectors; revise the harvesting season and radius for hours of service exemption; establish driver license suspension periods for points accumulation; revise the documents required to obtain a driver's license; update references to federal adoptions; and create a declaratory petition process.

1:00 p.m. CDT Adjourn

* Breaks will be at the call of the chair.

NOTE: A copy of the proposed rules being reviewed at the meeting may be obtained without charge by contacting the department, board, or commission.

PLEASE NOTE: The above times are approximate.

Members: Representative Jean Hunhoff (Chair); Senator Alan Solano (Vice Chair); Senators Craig Kennedy and Lance Russell; and Representatives Julie Bartling and Steven Haugaard.

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