

AGENDA

Rules Review Committee



Senator Alan Solano, Chair
Representative Jean Hunhoff, Vice Chair

Three hundred eighty-second meeting
Monday
August 12, 2019

Room 414
State Capitol
Pierre, South Dakota

Agencies: Please have a representative present at the meeting to give background information on the proposed rules.

10:00 a.m. CT:

Call to order, roll call, approval of minutes, and staff report

Review of proposed rules

Senator Solano

Department of Agriculture: Amend rules to:

- Add Palmer Amaranth as a prohibited noxious weed seed;
- Clarify that no presence of prohibited noxious weed seed is allowable in seed;
- Move quackgrass from the prohibited noxious weed seed list to the restricted noxious weed seed list;
- Lower the maximum allowable presence of restricted noxious weed seeds; and
- Update references, scientific names, and testing processes.

Department of Game, Fish and Parks: Amend rules to:

- Move the start date for hunting on Sand Lake National Wildlife Refuge in Brown County to an earlier date;
- Decrease the overall number of West River one-tag antelope licenses and increase the total number of two-tag licenses;
- Decrease the total amount of East River one-tag antelope licenses;
- Add Todd County to Unit PRA-50A;
- Remove Hyde County from Unit PRA-36A;
- Create Unit PRA-38A to include Buffalo, Hand, and Hyde Counties;
- Align the open units of the archery antelope hunting season with those units in the firearm antelope hunting season; and
- Exclude centerfire rifles and muzzleloaders on the Oacoma Game Production Area and other immediate adjacent public land in Lyman County.

[Department of Game, Fish and Parks](#): Adopt an emergency rule to:

- Allow the department to designate Lake Sharpe and Lake Francis Case as containment waters thus requiring boaters to follow decontamination rules as laid out in ARSD 41:10:04:08.

(NOTE: Emergency rules do not require a hearing and become effective the date they are filed with the Secretary of State. Discussion of this rule will be for informational purposes only.)

[Department of Transportation](#): Amend rules to:

- Increase the speed limit on Interstate Highway 190 in Rapid City from 55 to 60 miles per hour;
- Increase the speed limit for a segment of State Trunk Highway 79 from Rapid City to the Custer County line from 60 to 70 miles per hour; and
- Increase from 65 to 70 miles per hour the speed limit on State Trunk Highway 79 from the north side of Hermosa to the Pennington County line.

[South Dakota State Brand Board \(Department of Agriculture\)](#): Amend rules to:

- Increase brand program fees;
- Set a brand application fee; and
- Set the fee for brand inspections requested outside the brand inspection area, not to exceed \$1.00/head.

Representative Cwach

[South Dakota State Plumbing Commission \(Department of Labor and Regulation\)](#): Amend rules to:

- Update codified law references, processes for declaratory rulings and renewing expired licenses, and the Uniform Plumbing Code.

Representative Hansen

[Board of Minerals and Environment \(Department of Environment and Natural Resources\)](#): Amend rules to:

- Increase regulatory flexibility and clarity of rules applicable to hazardous waste generators;
- Establish a methodology for the use of electronic manifests;
- Establish procedures for managing and disposing of defective airbag inflators;
- Provide healthcare facilities and pharmacies with management and disposal options for hazardous waste pharmaceuticals;
- Revise requirements involving imports and exports of hazardous wastes; and
- Incorporate corrections made in federal regulations.

Senator Kennedy

[Appraiser Certification Program \(Department of Labor and Regulation\)](#): Amend rules to:

- Require applicants for an initial appraiser credential, a renewing credentialed appraiser, a supervisory appraiser, and an appraisal management company registration to provide the department with an email address; and
- Eliminate the requirement for a notarized affidavit or irrevocable Uniform Consent to Service of Process form.

Division of Insurance (Department of Labor and Regulation): Amend rules to:

- Remove a reference to the National Association of Securities Dealers (NASD) and insert a reference to the Financial Industry Regulatory Authority (FINRA);
- Update the sources referenced in rule; and
- Fix outdated statutory references to SDCL 58-17-4.3

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; or by downloading them at rules.sd.gov.

Members: Senator Alan Solano (Chair); Representative Jean Hunhoff (Vice Chair); Senators Craig Kennedy and Lance Russell; and Representatives Ryan Cwach and Jon Hansen.

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