

REGISTER



South Dakota Legislative Research Council

Volume 46

Monday, 8:00 a.m., July 1, 2019

GET COPIES OF PROPOSED RULES AND OTHER INFORMATION AT NO CHARGE

at <https://rules.sd.gov> or by contacting the agency directly via the means outlined in their notice of hearing.

The Legislative Research Council office will be closed Thursday, July 4 and Friday, July 5, 2019, for the 4th of July. Have a safe and happy holiday.

FILINGS IN THE LEGISLATIVE RESEARCH COUNCIL'S OFFICE:

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

South Dakota State Plumbing Commission (Department of Labor and Regulation): (June 27, 2019) intends to amend rules to update codified law references, processes for declaratory rulings and renewing expired licenses, and the Uniform Plumbing Code. The general authority for these rules, as cited by the commission, is SDCL 36-25-14, 36-25-15, 36-25-19, and 36-25-24.

A public hearing will be held in the Sharpe Conference Room, Department of Labor and Regulation, 123 West Missouri Avenue, Pierre, South Dakota, on August 1, 2019, at 10:00 a.m. CT. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota State Plumbing Commission, 308 S. Pierre Street, Pierre, South Dakota 57501. Material sent by mail must reach the commission by July 29, 2019, to be considered. This hearing is being held in a

physically accessible place. Persons with special needs for which the commission can make arrangements may call (605) 773-3429 before the public hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Alan Adel, Rapid City, was reappointed on June 26, 2019 to the **Independent Living Council**, effective July 1, 2019, and continuing until June 30, 2022.

Valena Baker, Hermosa, was appointed on June 26, 2019 to the **South Dakota Professional Teachers Practices and Standards Commission**, to replace Nicole Osmundson, effective June 17, 2019, and continuing until December 31, 2019.

Lorenzo Bettelyoun, Spearfish, was reappointed on June 26, 2019, to the **Hagen-Harvey Memorial Scholarship Board**, effective July 1, 2019, and continuing until June 30, 2024.

Glenn A. Blumhardt, Bowdle, was reappointed on June 26, 2019, to the **Board of Minerals and Environment**, effective July 1, 2019, and continuing until June 30, 2023.

Mary Bowne, Brookings, was reappointed on June 26, 2019, to the **South Dakota Interagency Coordinating Council**, effective June 17, 2019, and continuing until December 31, 2021.

Sarah Brown, Rapid City, was reappointed on June 26, 2019, to the **South Dakota Interagency Coordinating Council**, effective June 17, 2019, and continuing until December 31, 2021.

David F. Fleck, Yankton, was reappointed on June 26, 2019, to the **South Dakota Health and Educational Facilities Authority**, effective July 1, 2019, and continuing until June 30, 2024.

Lucy Fossen, Pierre, was appointed on June 26, 2019, to the **South Dakota Interagency Coordinating Council**, to replace Barb Hemmelman, effective June 17, 2019.

Catherine B. Greseth, Custer, was reappointed on June 26, 2019, to the **Independent Living Council**, effective July 1, 2019, and continuing until June 30, 2022.

Marilyn Grossenburg, Winner, was reappointed on June 26, 2019, to the **Commission on Human Rights**, effective July 1, 2019, and continuing until June 30, 2023.

Bill Hansen, Centerville, was reappointed on June 26, 2019, to the **Housing Development Authority**, effective July 1, 2019, and continuing until June 30, 2024.

Angela Hase, Aberdeen, was appointed on June 26, 2019, to the **State Board of Examiners in Optometry**, to replace Denette Eisnach, effective July 1, 2019, and continuing until June 30, 2022.

Fallon Helm, Aberdeen, was appointed on June 26, 2019, to the **Board of Massage Therapy**, to replace Margaret Johnson, effective June 17, 2019, and continuing until October 30, 2020.

Karl Jegeris, Rapid City, was appointed on June 26, 2019, to the **Council for the Interstate Commission for Juveniles**, to replace Lyndon Overweg, effective June 17, 2019, and continuing until November 30, 2020.

Patricia Kuglitsch, Sioux Falls, was appointed on June 26, 2019, to the **Independent Living Council**, to replace Clarke Christianson, effective July 1, 2019, and continuing until June 30, 2022.

Peggy G. Miller, Volga, was reappointed on June 26, 2019, to the **Commission on Human Rights**, effective July 1, 2019, and continuing until June 30, 2023.

Kathleen Rutten, Sioux Falls, was appointed on June 26, 2019, to the **Independent Living Council**, to replace Lori Nelson, effective June 17, 2019, and continuing until June 30, 2020.

Scott Schirber, Rapid City, was reappointed on June 26, 2019, to the **State Board of Examiners in Optometry**, effective July 1, 2019, and continuing until June 30, 2022.

Charles Sherman, Watertown, was appointed on June 26, 2019, to the **Board of Examiners of Psychologists**, to replace Robert Buri, effective June 17, 2019, and continuing until October 30, 2020.

Mark Sternhagen, Brookings, was appointed on June 26, 2019, to the **Independent Living Council**, to replace Sarah Rush, effective July 1, 2019, and continuing until June 30, 2022.

Janet Whiting, Porcupine, was appointed on June 26, 2019, to the **Family Support Council**, to replace Lori Larson, effective June 17, 2019, and continuing until June 30, 2021.

Kyrsten Zimmerman, Brookings, was appointed on June 26, 2019, to the **Independent Living Council**, to replace Timothy Reinbold, effective June 17, 2019, and continuing until June 30, 2021.

Doyle D. Estes, Hill City, was reappointed on June 28, 2019, to the **South Dakota Board of Directors for Educational Telecommunications**, effective July 1, 2019, and continuing until June 30, 2022.

Laurie Gill, Pierre, was appointed on June 28, 2019, to the **Planning Council on Developmental Disabilities**, to replace Lynne Valenti, effective June 17, 2019.

David Goodwin, Black Hawk, was reappointed on June 28, 2019, to the **South Dakota Public Safety Communications Council**, effective July 1, 2019, and continuing until June 30, 2022.

Renee Graf, Watertown, was appointed on June 28, 2019, to the **Cosmetology Commission**, to replace Tammy Ugofsky, effective June 17, 2019, and continuing until April 14, 2022.

Jessica Peterson, Aberdeen, was reappointed on June 28, 2019, to the **Board of Minerals and Environment**, effective July 1, 2019, and continuing until June 30, 2023.

John Scheetz, Spearfish, was reappointed on June 28, 2019, to the **Board of Minerals and Environment**, effective July 1, 2019, and continuing until June 30, 2023.

NOTE REGARDING ADOPTED 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

7-1-2019	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; 45 SDR 154, June 10, 2019.
7-8-2019	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; 45 SDR 162, June 24, 2019.

7-10-2019	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; 45 SDR 158, June 17, 2019.
7-18-2019	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; 45 SDR 144, May 20, 2019.
8-1-2019	South Dakota State Plumbing Commission (Department of Labor and Regulation): Amend rules to update codified law references, processes for issuing declaratory rulings and renewing expired licenses, and the Uniform Plumbing Code; 46 SDR 1, July 1, 2019.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2019 interim is Monday, July 8, 2019, at 10:00 a.m. CT in Room 414 of the Capitol. Other meetings scheduled for the 2019 interim will be held August 12, September 9, and November 4.

Watch for notices of 2019 Rules Review Committee meetings in this publication, on the LRC website (<https://sdlegislature.gov/>) and at the Capitol.

Note: The Administrative Rules Guide to Form and Style is available on the LRC website at <https://www.sdlegislature.gov/Rules/RulesManual.aspx>.