



Legislative Research Council

RULES REVIEW COMMITTEE AGENDA

Revised 10/12/04

Senator Royal "Mac" McCracken, Chair
Representative Jean M. Hunhoff, Vice Chair

Two hundred fifty-second meeting
Friday
October 15, 2004

Room 413
State Capitol
Pierre, South Dakota

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

9:00 a.m. Call to order, roll call, approval of minutes, staff report

9:10 a.m. Review of proposed rules

Senator McCracken

Department of Transportation - Amend speed zones in Hughes County on U.S. Highway 14, U.S. Highway 83, and State Trunk Highway 34 through the city of Pierre.

Department of Transportation - Add a 30 mph speed zone in Lawrence County along US Highway 14A to lower the speed limit through an area near downtown Deadwood; add a 50 mph speed zone along South Dakota Highway 34 near the junction with South Dakota Highway 47 at Fort Thompson; and extend 30 mph and 45 mph speed zones in Kingsbury County along US Highway 14 to the east through the City of Lake Preston near the east entrance to the park and swimming pool complex.

Department of Revenue and Regulation: Division of Insurance - Amend rules to update the continuing education requirements; specify when the long-term care suitability report is due; implement privacy guidelines for health information; and define terms and clarify that a report is required for group disability income products.

Representative Hunhoff

Department of Health - Adopt and amend rules relating to Radiation Safety, Drug Control, and Medical Facilities.

Senator Bogue

Department of Education: Board of Education - Amend rules to clarify appropriate mileage and travel time reimbursement options for early intervention service providers, and to expand endorsement opportunities for principals.

Department of Labor: Public Utilities Commission - Amend rules that would provide a baseline for service requirements while allowing telephony providers to determine which system of electrical backup will keep their customers in communication during a power outage and to require a telephone solicitor who makes unsolicited telephone calls to South Dakota residential telephone subscribers to download updates from the South Dakota do not call register every thirty-one days, instead of every ninety days.

Representative Engels

Department of Environment and Natural Resources: Environmental Services/Drinking Water - Repeal an existing chapter of state rules for Consumer Confidence Reports and update it by incorporating by reference the most recent published version of the Code of Federal Regulations for drinking water.

Department of Environment and Natural Resources: Environmental Services/Operator Certification - Amend rules to clarify which operators are eligible to become certified as Class III or IV operators.

10:30 a.m. Break

Department of Labor: Cosmetology Commission - Amend rules to update requirements for apprentice senior instructor license applications, change the annual renewal dates to birth dates for individuals and to opening dates for salons starting in 2006, change the work credit for reciprocity applicants, update and clarify safety and sanitation procedures, clarify non-invasive chemical use on skin, update prohibited products, update training and curriculum requirements for apprentices, increase the continuing education for instructors from ten annual hours to twelve annual hours, require continuing education for the use of electrical nail files, add that the commission will provide certificates for continuing education, require all foot spas to be disinfected after each use, allow a verification fee and pre-approval for a course provider to teach a course, clarify the type of education required by senior instructor to teach apprentices, and add a newly published textbook to the approved textbooks.

Department of Environment and Natural Resources: Water Management Board/Water Rights Program - Amend Water Rights Program rules to allow bentonite grout to be used instead of cement grout as an annular seal under certain conditions, and to require applicants for new well driller licenses to pass an examination.

Department of Environment and Natural Resources: Water Management Board/Ground Quality Water Program - Amend the Groundwater Quality Standards rules to set ground water quality standards to the updated maximum contaminant levels as set by

the U.S. Environmental Protection Agency; and amend the Groundwater Discharge Permits rules to define "shallow aquifer," clarify who must apply for a ground water discharge plan, specify the maximum duration for a groundwater discharge facility construction permit, and specify renewal requirements for a groundwater discharge facility construction permit.

Representative Smidt

Department of Game, Fish and Parks - Amend camping fees at Buryanek and West Pollock Recreation Areas; allow shotguns using shot shells and bow and arrow to be used during established hunting seasons at Okobojo Recreation Area; and amend handicapped persons hunting permits.

Department of Game, Fish and Parks - Amend rules to increase the fee for certain licenses and permits (hunting, fishing, falconry, fur dealer, and taxidermist).

12:00 p.m. Adjourn

NOTE: To help agencies estimate when to appear before the committee, the agenda is set assuming a ten-minute presentation per rule. However, actual times may vary.

Members: Senator Royal "Mac" McCracken, Chair; Representative Jean M. Hunhoff, Vice-Chair; Senators Eric H. Bogue and H. Paul Dennert; and Representatives Richard H. Engels and Orville B. Smidt.

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