

# AGENDA

## Rules Review Committee



Representative Jean Hunhoff, Chair  
Senator Alan Solano, Vice Chair

Three hundred sixty-seventh meeting  
Tuesday  
August 22, 2017

Room 414  
State Capitol  
Pierre, South Dakota

### Other DDN Site Location:

University Center  
4801 N. Career Ave., Room FADM 145  
Sioux Falls, 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 Hunhoff**

Department of Social Services: Board of Social Work Examiners – Amend rules to update the Code of Ethics to the most recent version, repeal temporary license fees, repeal the rules related to social work by equivalency, and establish rules for licensing Behavior Analysts.

Department of Social Services: Division of Child Care Services – Amend rules to update the definition of full-time student, align language with current practice and federal requirements, correct a citation, and move the co-payment rates for child care assistance to the department's website and modifies the sliding fee scale.

### **Senator Solano**

Department of Agriculture: Animal Industry Board – Amend rules to include composting as a carcass disposal option for livestock producers, change and update current language of reference material, allow for individuals in South Dakota to possess non-domestic swine (family Suidae) under permit from the board, eliminate the grandfather type of captive non-domestic possession permit, and repeal rules that are no longer applicable.

Department of Game, Fish and Parks – Amend Custer State Park Restrictions rule to amend the 200 yard hunting restriction near roads and buildings within Custer State Park presently applicable to big game species to include coyotes; amend a Sage Grouse Hunting Season rule to close the season; amend an Antelope Hunting Season rule to adjust the number of hunting licenses; amend a Custer State Park Antelope Hunting Season rule to close the season; and amend Custer State Park Coyote Hunting Season rules to reopen the coyote hunting season, adjust the season dates from the second Monday in December to December 31, inclusive, to December 26 to March 31, inclusive, allow any resident possessing a valid resident predator/varmint license, resident furbearer license, or any resident hunting license to hunt

coyotes in the Custer State Park hunting unit (Unit CUC-CU1), and require a hunter to obtain and possess a free access permit issued by the department in order to hunt coyotes in Custer State Park.

Department of Transportation – Amend Highway and Bridge Improvement Plan Requirements rules to state that the format of annual plan updates must substantially conform to the department's guidelines, the annual plan updates may be submitted electronically or by hard copy, the annual plan updates must contain up-to-date information about the five-year project list from the previous year's plan or update, eliminates the deadline of December 16, 2015, which applied to county bridge improvement grant applications considered in 2016, clarify that county grant applicants must submit highway and bridge improvement plans, or plan updates, by October 15 of the calendar year preceding the grant application deadline, clarify that bridge improvement grant recipients must submit highway and bridge improvement plan updates by October 15 of each year, allow counties to make amendments to highway and bridge improvement plans at any time, repeal a rule regarding emergency changes to bridge improvement plans, amend Local Bridge Improvement Grant Requirements rules to replace the reference to an "approved" county highway and bridge improvement plan with an "accepted" county highway and bridge improvement plant, change the deadline to October 30 for the Transportation Commission to consider preliminary engineering grant applications submitted by August 1 of that year, and eliminate the requirement regarding extensions.

#### **Representative Bartling**

Department of Environment and Natural Resources: Board of Minerals and Environment – Update the state's existing hazardous waste rules by incorporating updated, codified federal regulations by reference. These updates reflect changes made to the federal hazardous waste rules from July 1, 2012 through June 30, 2016. Changes include establishing procedures for identifying and managing certain hazardous secondary materials destined for recycling, management standards for solvent-contaminated wipes, establishing a framework for the use of electronic manifests, revisions to requirements involving imports and exports of hazardous wastes, and incorporating technical and typographical corrections to the federal rules.

Department of Environment and Natural Resources: Board of Minerals and Environment – Amend air quality rules by incorporating updated, codified regulations by reference and clarifying when air quality modeling is required. The proposed amendments primarily reflect changes made to the federal air quality regulations as of June 30, 2016.

#### **Representative Hugaard**

Department of Education: Board of Education – Amend Principal Performance Standards & Evaluations rules to create local flexibility in decisions regarding implementation of principal evaluation systems.

Department of Education: State Historical Society – Amend rules to update reference materials; set standard fees for services provided; revise the museum rental fees; eliminate the fee for purchasing a USGS map; and correct a SDCL reference.

## Senator Russell

Department of Public Safety – Amend rules to adopt the 2015 edition of the National School Transportation Specifications and Procedures, adopt the 2017 Commercial Vehicle Safety Alliance's "North American Standard Out-of-Service Criteria", revise the requirements for motorcycle safety education courses, remove the requirement of providing a social security number when transferring a compliant out of state driver's license to South Dakota, and updating the federal adoption to match statute.

1:30 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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