

MINUTES

Interim Rules Review Committee



Representative Jon Hansen, Chair
Senator Taffy Howard, Vice Chair

Four hundred forty-first meeting
Tuesday, May 5, 2026

Room 414 – State Capitol
Pierre, South Dakota

The four hundred forty-first meeting of the Interim Rules Review Committee (IRRC) was called to order by Representative Jon Hansen, Chair, at 10:03 a.m. (CT) on May 5, 2026, in Room 414 at the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members present: Representatives Jon Hansen, Chair, Roger DeGroot, and Erik Muckey (remote); and Senators Taffy Howard, Vice Chair (remote), Liz Larson (remote), and Jim Mehlhaff. Staff members present were Justin Goetz, Code Counsel; Kelly Thompson, Legislative Editor; and Dilyn Tramp, IT Support Specialist.

NOTE: For purpose of continuity, the following minutes are not necessarily in chronological order. All referenced documents distributed at the meeting are hyperlinked to the document on the Legislative Research Council website. This meeting was live streamed. The archived live stream is available at sdlegislature.gov.

Approval of Minutes

Senator Mehlhaff moved, seconded by Representative DeGroot, that the [April 21, 2026, meeting minutes](#) be approved. Motion prevailed on a voice vote of all members present. [\(00:31.540\)](#)

Rules Reviewed

South Dakota Plumbing Commission (Department of Labor and Regulation): Amend a rule to clarify floor drain sloping and acceptable use of CPVC Schedule 80 pipe and fittings and provide guidance for horizontal wet venting.

Ms. Mandy Nielsen, South Dakota Plumbing Commission, reviewed the proposed rule which is in response to a request by licensees for clarification on these issues. [\(01:32.860\)](#)

Senator Howard asked if the changes would result in any cost savings. Ms. Nielsen said as use of these materials is not required but is optional, there likely would not be any cost savings. Mr. Ron Healy, Plumbing Inspector, agreed. [\(03:27.380\)](#)

Representative DeGroot inquired as to whether, based on their comments, the rule would be cost neutral. Mr. Healy explained that use of some of the materials is required due to temperature issues, such as using cast iron pipe versus CPVC pipe for a dishwasher, and as the cost for that material is already higher, the rule would be cost neutral. [\(06:55.640\)](#)

Responding to Senator Mehlhaff, Mr. Healy explained the difference between Schedule 40 and Schedule 80 CPVC pipe. [\(08:34.660\)](#)

Representative DeGroot moved, seconded by Senator Mehlhaff, that the review of the rules proposed by the South Dakota Plumbing Commission (Department of Labor and Regulation) is complete. Motion prevailed on a roll call vote with 6 AYES. Voting AYE: DeGroot, Larson, Mehlhaff, Muckey, Howard, and Hansen. [\(10:19.880\)](#)

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

- Allow an individual applying for the Special Antelope unit within the antelope season to select a second choice in the first draw;
- Remove the license tag type specifications for antelope, deer, and elk landowner-own-land;
- Strike the word "multiple" to make landowner free antlerless whitetail licenses available in East River and West River deer season units that offer single antlerless deer licenses;
- Add all open prairie elk season units to landowner-own-land resident-only antlerless elk licensees;
- More accurately describe the antelope and turkey season draw structures;
- Remove Brown, Edmunds, Faulk, McPherson, and Spink counties from the August Management Take unit;
- Reduce August Management Take daily bag limit from fifteen to eight;
- Provide the option of up to one hundred antlerless elk licenses during the Custer State Park special antlerless season;
- Modify the unit boundary during the Custer State Park special antlerless season;
- Remove a special antlerless elk unit in Custer State Park;
- Repeal the licenses selection process for antlerless elk in Custer State Park;
- Reduce the daily bag limit of giant Canada Goose from fifteen to eight;
- Expand season dates and license types for select units; and
- Create a new unit for elk hunting east of the Missouri River.

Mr. Tom Kirschenmann, Department of Game, Fish and Parks, reviewed the proposed rules which largely represent adjustments to big game seasons in South Dakota. [\(12:14.400\)](#)

Senator Mehlhaff asked if the East River elk licenses would be unlimited and whether a person could get an East River license and take a West River elk. Mr. Kirschenmann noted the department will use the same process utilized for other licenses to inform and educate the public as to where the licenses can be used, obtain tips for any potential violations, and use the law enforcement component of the agency if a situation occurs. [\(19:39.180\)](#)

Senator Larson wondered how many elk are currently located in East River and whether the current population is causing destruction to crops. Mr. Kirschenmann stated that the elk numbers are smaller in East River than West River and the department is working on getting better estimates for prairie elk, but very few persons are anticipated to take advantage of East River elk hunting given these numbers and it is most likely to be used by landowner-on-own-land licensees. Elk depredation damage has been reported East River in the Crow Creek Sioux Reservation area and tribal and state officials are working together on their elk management plans. [\(21:17.120\)](#)

In response to Senator Larson as to whether one person could harvest the entire population of fifty elk if found on their property, Mr. Kirschenmann said the process limits a person to one license per year so they could harvest one elk per year. [\(26:44.280\)](#)

Senator Howard asked why the department does not currently manage East River elk. According to Mr. Kirschenmann, with the high level of agricultural production in the eastern part of the state, the damage caused by a group of elk would be difficult to deal with, noting that even a small herd that stays localized in the same area could wipe out a field. [\(28:16.780\)](#)

Regarding proposed rules for antlerless elk licenses for Custer State Park, Senate Howard wondered if an increase in the number of licenses available would be temporary. Mr. Kirschenmann said the rule would cap at one hundred the number of licenses that could be used for a season, with fifty currently being allocated for the coming season. The increase would likely be on a temporary basis depending on population numbers in the future. [\(30:24.340\)](#)

Senator Mehlhaff moved, seconded by Representative Hansen, that the review of the rules proposed by the Department of Game, Fish and Parks is complete. [\(32:28.560\)](#)

Senator Larson made a substitute motion that the review of the rules proposed by the Department of Game, Fish and Parks is complete with the exception of those rules pertaining to East River elk licenses and increasing the number of antlerless elk licenses during the Custer State Park special antlerless season, which should be reverted to a prior step. The motion died for lack of a second. [\(33:12.620\)](#)

The original motion prevailed on a roll call vote with 4 AYES and 2 NAYS. Voting AYE: DeGroot, Mehlhaff, Howard, and Hansen. Voting NAY: Larson and Muckey. [\(35:04.100\)](#)

South Dakota Transportation Commission (Department of Transportation): Amend a rule to reduce the fifty-five mile per hour speed limit on South Dakota Highway 115 around its intersection with South Veterans Parkway in Lincoln County.

Ms. Karla Engle, Department of Transportation, reviewed the proposed rule and offered statistics from the speed study conducted to determine whether the speed change is warranted. [\(36:24.580\)](#)

Senator Mehlhaff moved, seconded by Representative Hansen, that the review of the rule proposed by the South Dakota Transportation Commission (Department of Transportation) is complete. Motion prevailed on a roll call vote with 6 AYES. Voting AYE: DeGroot, Larson, Mehlhaff, Muckey, Howard, and Hansen. [\(42:02.300\)](#)

Department of Revenue: Adopt rules to:

- Require vehicles to be registered and titled in an individual's legal name;
- Establish the Electronic Title and Registration (ERT) program;
- Set forth ERT application requirements;
- Require ERT provider annual fees;
- Clarify responsibility for technical costs and document retention requirements; and
- Establish penalties for failure to remit state taxes and fees as required.

Ms. Rosa Yaeger, Department of Revenue, reviewed the proposed rules which implement the Electronic Title and Registration (ERT) program authorized by the passage of [Senate Bill 131](#) by the 2025 South Dakota Legislature. [\(44:09.440\)](#)

Senator Mehlhaff asked if the ERT system will replace the conventional paper process that is currently being used. Ms. Yaeger replied that the new system will be voluntary for vehicle dealers and allow buyers to complete all of the necessary paperwork right at the dealer instead of having to go to the county office. [\(47:42.800\)](#)

Senator Mehlhaff wondered if vehicle owners would be able to access their vehicle titles online and whether ERT providers will need to maintain backups of title records. Ms. Yaeger indicated that the My605 portal provides electronic proof of title. While she was unsure what the providers would store, dealerships require a five-year retention and there will be retention requirements in the contract with the providers. [\(49:22.320\)](#)

Representative Muckey moved, seconded by Representative DeGroot, that the review of the rules proposed by the Department of Revenue is complete. Motion prevailed on a roll call vote with 6 AYES. Voting AYE: DeGroot, Larson, Mehlhaff, Muckey, Howard, and Hansen. [\(51:04.760\)](#)

Staff Report

Mr. Justin Goetz, Code Counsel, advised committee members that an updated Form 14 - Small Business Impact Statement will be presented for feedback and approval at the next Interim Rules Review Committee meeting in June. The revision is to update the form to provide the regulatory impact analysis required by the passage of [Senate Bill 133](#) by the 2026 South Dakota Legislature. [\(52:09.500\)](#)

Public Comments: General Purposes

No additional public comments were received.

Adjournment

Senator Mehlhaff moved, seconded by Representative DeGroot, Senator Mehlhaff moved, seconded by Representative DeGroot, that the meeting be adjourned. Motion prevailed on a unanimous voice vote of all members present. [\(52:45.620\)](#)

Chair Hansen adjourned the meeting at 10:56 a.m. (CT).