

REGISTER



South Dakota Legislative Research Council

Volume 31

Monday, 8:00 a.m., February 14, 2005

NOTICES OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Revenue and Regulation:

Commission on Gaming: (February 7, 2005) is proposing to adopt and amend rules that will allow for three additional payout schedules for three card hands when playing Silverado Stud poker; allow for a variation of poker known as Four-card poker; allow for a variation of poker known as Hold 'Em 212 poker; allow for a variation of poker known as Texas Hold 'Em Bonus poker; clarify that payout percentages for slot machines must be 17,000,000 to one or better; remove video monitors and include shufflers in associated equipment which affects game outcome; allow the use of promotional and bonus systems in slot machines; require that two-dollar chips be predominately orange and \$500 chips predominantly purple; and clarify that all monies held in the cage are locked and secured. The general authority for these rules, as cited by the commission, is 42-7B-7, 42-7B-11.

A public hearing will be held at City Hall, 102 Sherman Street, Deadwood, South Dakota, on Wednesday, March 16, 2005, at 9:00 a.m. (MT). Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Commission on Gaming, 425 East Capitol Avenue, Pierre, South Dakota 57501. Written comments must be received by March 11, 2005, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the commission can make arrangements are asked to call (605) 773-6050 or (605) 578-3074 at least 48 hours before the hearing.

Department of Environment and Natural Resources: Board of Minerals and

Environment: (February 8, 2005) has filed a rule that will amend language related to approved uses and disposal of tire wastes. The general authority for this rule, as cited by the department, is SDCL 34A-6-1.6 and 34A-6-87.1.

A public hearing will be held at the Matthew Environmental Education and Training Center, 523 East Capitol Avenue, Pierre, South Dakota on March 17, 2005, at 11:00 a.m. CST. Copies of the proposed rules may be obtained from and written comments sent to PMB 2020, Department of Environment and Natural Resources, Waste Management Program, 523 E. Capitol, Pierre, South Dakota 57501-3182. This hearing is being held in a physically accessible place. Persons who have special needs for which the department can make arrangements are asked to call Jim Wendte at (605) 773-3153 at least 48 hours before the public hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

**DEPARTMENT OF EDUCATION:
PROFESSIONAL ADMINISTRATORS
PRACTICES AND STANDARDS
COMMISSION:** 24:11:01:01 and 24:11:04:04.

History-Notice: 31 SDR 97, Dec. 27, 2004
Hearing: January 24, 2005
Filed: February 10, 2005
Effective: March 2, 2005

Executive Appointment:

Richard Bird, Sisseton, was appointed on February 3, 2005, to the **Drug and Alcohol Abuse Advisory Council**, to replace Matt Stricherz, effective immediately and shall continue until June 30, 2006.

Fred Entwistle, Sioux Falls, was appointed on February 3, 2005, to the **South Dakota Advisory Council on Aging**, to replace Dr. Charles Roberts, effective immediately and shall continue until December 30, 2008.

Jerome K. Howe, Mitchell, was reappointed on February 3, 2005, to the **South Dakota Crime Victims' Compensation Commission**, effective

immediately and shall continue until June 30, 2006.

Leon Cantin, Yankton, was reappointed on February 4, 2005, to the **Drug and Alcohol Abuse Advisory Council**, effective immediately and shall continue until July 1, 2006.

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed 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 Regulation, and the Department of Labor for Article 47:03.

REMINDER OF HEARINGS SCHEDULED

2-22-2005	Public Utilities Commission: One-Call Notification Board	Amend rules to improve the efficiencies of the South Dakota One-Call System as identified by the users of the system; 31 SDR 101.
2-24-2005	Transportation	Amend a rule that will prohibit parking along both sides of State Trunk Highway 42 in Sioux Falls between Grange Avenue and Western Avenue; 31 SDR 117.
3-5-2005	Game, Fish and Parks	Repeal the waterfowl refuges at Lake Geddes State Waterfowl Refuge in Charles Mix County and Pudwill Dam State Waterfowl Refuge; modify the refuge at the LaFramboise Island State Game Refuge in Stanley County; and modify the legal description of the Bullhead State Waterfowl Refuge in Roberts County; change the names of the resident special "buck" license and nonresident special "buck" license to a resident special "any deer" license and nonresident special "any deer" license, respectively wherever the same may appear in the 3 applicable chapters, and permits the person with one of the "special" deer licenses to harvest "any" type of deer and not just a "buck" deer; 31 SDR 117.
3-16-2005	Revenue and Regulation: Gaming Commission	Adopt and amend rules that will allow for three additional payout schedules for three card hands when playing Silverado Stud poker; allow for a variation of poker known as Four-

		card poker; allow for a variation of poker known as Hold 'Em 212 poker; allow for a variation of poker known as Texas Hold 'Em Bonus poker; clarify that payout percentages for slot machines must be 17,000,000 to one or better; remove video monitors and include shufflers in associated equipment which affects game outcome; allow the use of promotional and bonus systems in slot machines; require that two-dollar chips be predominately orange and \$500 chips predominantly purple; and clarify that all monies held in the cage are locked and secured; 31 SDR 121.
3-17-2005	Environment and Natural Resources: Board of Minerals and Environment	Amend language related to approved uses and disposal of tire wastes; 31 SDR 121.
3-29-2005	Revenue and Regulation: Appraisers	Amend a rule to require that an appraisal conform to the Uniform Standards of Professional Appraisal Practice, 2005 Edition; 31 SDR 115.

Rules Review Committee Meetings

The Interim Rules Review Committee will have an informal meeting near the close of the Eightieth Legislative Session to set the tentative meeting schedule for the 2005 interim. Watch for a notice of this informal meeting on the LRC Web site and at the Capitol.

Note: An updated version of the Administrative Rules Guide to Form and Style is available at the LRC office and on the LRC web site.

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