

REGISTER



South Dakota Legislative Research Council

Volume 32

Tuesday, 8:00 a.m., February 21, 2006

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 14, 2006) is proposing to amend Deadwood Gambling Rules to change Silverado Stud poker to add another hand to the five-card hand payout schedule known as the two-pair-dealt hand and amend check cashing procedures to clarify that licensees need not deposit a check by the next banking day when they have a contractual arrangement with a check processor or check guarantee service. The general authority for these rules, as cited by the commission, is 42-7B-7 and 42-7B-11.

A public hearing will be held at the City Hall, 102 Sherman Street, Deadwood, South Dakota, on Tuesday, March 14, 2006, 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. Materials sent by mail must reach the Commission on Gaming by March 14, 2006, to be considered. However, the Commission

requests that all written comments be received by Wednesday, March 8, 2006, to allow for adequate consideration prior to the hearing. 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.

FILINGS IN THE SECRETARY OF STATES OFFICE:

Executive Appointment:

Rita Thompson, Buffalo, was appointed on February 10, 2006, to the **South Dakota Commission on Gaming**, to replace Kristi Wagner, effective immediately and shall continue until April 14, 2007.

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

3-2-2006	Attorney General: Law Enforcement Officers Standards and Training Commission	Amend rules to provide for the continuing educational requirement of law enforcement officers and to set the time frame in which law enforcement officers are to complete specific firearm and continuing educational requirements; to clarify the minimum standards for employment for law enforcement officers; to provide for a written examination for canine certification and to clarify the evaluation that a canine team must undergo; to
----------	--	---

		clarify the renewal requirements for certification of canine teams; to provide a time frame in which a canine handler may repeat the required written examination and to clarify when the yearly skills evaluation can be completed; to clarify the term "evaluation"; and to clarify the minimum standards of employment for certification as 911 telecommunicators; 32 SDR 135.
3-2-2006	Game, Fish, and Parks	Amend rules to permit persons with a valid spring turkey license in a designated Unit to possess an uncased bow and arrow, shotgun using shotshells, and a muzzleloading shotgun within the boundary of Sica Hollow State Park during a specified time and to permit a person having a valid concealed pistol permit to possess the concealed pistol while in a state park, recreation area, nature area, and lakeside use area; repeal the park entrance license requirement at Farm Island, Oahe Downstream, West Bend, and Cow Creek Recreation Areas from September 11, 2006, through September 18, 2006; establish the number of "special any deer" licenses available (presently 400 resident and 400 nonresident licenses) and remove the requirement that in the counties of Corson, Dewey, and Ziebach the licenses only permitted the harvest of a "whitetail deer"; modify the "no boating zone" contained in Putney Slough Game Production Area; modify the time when a portion of Helgeson Slough in Clark County is zoned as "no boating"; modify the time when a portion of Rock Crandall Game Production Area and contiguous waters are zoned as "no boating"; and provide a "no boating zone" in the waters of East Stink Lake and certain contiguous waters in Marshall County during certain periods of time; and repeal the following refuges – Corsica Lake State Game Refuge in Douglas County, Dry Lake State Waterfowl Refuge in Hamlin County, Freeman Dam State Game Bird Refuge in Jackson County, and the Four Mile Lake State Game Bird Refuge in Marshall County; 32 SDR 137.
3-14-2006	Revenue and Regulation: Commission on Gaming	Amend Deadwood Gambling Rules to change Silverado Stud poker to add another hand to the five-card hand payout schedule known as

		the two-pair-dealt hand and amend check cashing procedures to clarify that licensees need not deposit a check by the next banking day when they have a contractual arrangement with a check processor or check guarantee service; 32 SDR 141.
4-4-2006	Environment and Natural Resources: Operator Certification Program	Amend rules to modify the experience requirement for a water/wastewater operator that does not have applicable post-high school education in order to become certified as a Class III or IV operator. Applicable post-high school education includes "college or vocational school majoring in engineering, environmental sciences, or related fields"; 32 SDR 135.

RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee will hold a meeting on Friday, February 24, 2006, at 10:00 a.m. in the LRC Conference Room, Third Floor of the State Capitol, Pierre, South Dakota, to set the meeting schedule for the upcoming interim.

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

The **South Dakota Register**, ISSN 0191-1104, is published by the South Dakota Legislative Research Council pursuant to SDCL 1-26A-1. Subscriptions to Volume 32 are \$20. Make checks payable to "State of South Dakota" and mail to the Legislative Research Council, State Capitol, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070. Information from the Register is available free of charge on the Internet at <http://legis.state.sd.us>. Subscribe to receive electronic notification of the availability of the **South Dakota Register** at **MyLRC** (<http://legis.state.sd.us/mylrc/index.htm>).