

# REGISTER



*South Dakota Legislative Research Council*

*Volume 31*

*Tuesday, 8:00 a.m., February 22, 2005*

**NOTICES OF PROPOSED RULES:** (None)

Senators Eric Bogue, Jim Hundstad, and Orville Smidt; and Representatives Jean Hunhoff, Roger Hunt, and Bill Thompson.

**FILINGS IN THE SECRETARY OF STATE'S OFFICE:**

**Executive Orders:**

The Governor has signed **Executive Order 2005-02** dated February 15, 2005. This order establishes the National Incident Management System (NIMS) as the standard for incident management in the state. MINS was developed under presidential directive HSPD-5. This directive authorized the Department of Homeland Security to provide for a consistent nationwide approach for federal, state, local, and tribal governments to work together to prepare for and respond to domestic incidents.

The Governor has signed **Executive Order 2005-03** dated February 17, 2005. This order declares that the offices for state government, within the executive branch, shall be administratively closed for the afternoon of Friday, March 25, 2005.

**Legislative Appointments:**

Newly appointed members to the Interim Rules Review Committee are:

**RECIPROCAL AGREEMENT ON FILE WITH THE LEGISLATIVE RESEARCH COUNCIL:**

The **Department of Agriculture** has filed a Reciprocal Agreement with the Legislative Research Council. The State of South Dakota and the State of Nebraska have entered into a reciprocal agreement regarding pesticide applicator certification. State laws in both states permit reciprocal licensing when the pesticide applicator has demonstrated competency to apply pesticides under the laws of the reciprocal state if the certification standards of the reciprocal state are substantially the same as South Dakota standards. This agreement outlines the terms and conditions of the reciprocity.

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

2-24-2005	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 hold a meeting on Monday, February 28, 2005, 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 LRC 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 31 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.cfm>).