

# REGISTER



*South Dakota Legislative Research Council*

*Volume 31*

*Monday, 8:00 a.m., March 14, 2005*

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

***Department of Agriculture: Weed and Pest Control Commission:*** (March 9, 2005) has filed a rule that will add Salt Cedar (Tamarix ramosissima) and remove Field Bindweed from the statewide noxious weed list. The general authority for this rule, as cited by the commission, is SDCL 38-22-9 and 38-22-11.1.

A public hearing will be held at the Ramkota Inn, (Lewis & Clark Meeting Room), 920 W. Sioux Avenue, Pierre, South Dakota, on April 14, 2005, at 1:30 p.m. Copies of the proposed rules may be obtained from and written comments sent to South Dakota Department of Agriculture, Division of Agricultural Services, Weed and Pest Control, 523 E. Capitol Avenue, Pierre, South Dakota 57501. Material sent by mail must reach the department by April 12, 2005, to be considered. For access assistance, handicapped persons may call (605) 773-3796, before the hearing.

***Department of Tourism and State Development: Board of Economic Development:*** (March 11, 2005) has filed rules to implement the "South Dakota Entrepreneur Support Program." The general authority for these rules, as cited by the department, is SDCL 1-16G-39.

A public hearing will be held in Gallery E at the Ramkota Inn, Pierre, South Dakota, on April 5, 2005, at 9:00 a.m. CDT. Copies of the proposed rules may be obtained from and written comments sent to the Department of Tourism and State Development, Capitol Lake Plaza, 711 East Wells Avenue, Pierre, South Dakota

57501. Written comments must be received by April 4, 2005, to be considered. 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 (605) 773-3301 at least forty-eight hours before the hearing.

***Department of Tourism and State Development: Board of Economic Development:*** (March 11, 2005) has filed rules to implement the "Capital Investment Entity Program." The general authority for these rules, as cited by the department, is SDCL 1-16G-8.3.

A public hearing will be held in Gallery E at the Ramkota Inn, Pierre, South Dakota, on April 5, 2005, at 9:00 a.m. CDT. Copies of the proposed rules may be obtained from and written comments sent to the Department of Tourism and State Development, Capitol Lake Plaza, 711 East Wells Avenue, Pierre, South Dakota 57501. Written comments must be received by April 4, 2005, to be considered. 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 (605) 773-3301 at least forty-eight hours before the hearing.

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

The **DEPARTMENT OF SOCIAL SERVICES** filed an update to the South Dakota Food Stamp Program Certification and Accountability Manual on March 10, 2005. The update relates to the determination of income for food stamp eligibility. The update provides that combat pay should be excluded as

additional pay when determining income under the food stamp program.

**Executive Appointment:**

**Charles Hart**, Rapid City, was reappointed on March 3, 2005, to the **South Dakota Commission on Health Care**, effective immediately and shall continue until July 1, 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**

3-16-2005	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.
3-21-2005	Education: Board of Education	Amend rules that will reference the fact that the department may issue one-year certificates to teachers who have let their certificates lapse; to allow the department to grant an additional one-year extension on a one-year certificate to a teacher who has extenuating circumstances and to reference the alternative certification program; to clearly state that a teacher who lets his or her certificate lapse may be issued a one-year certificate by the department, during which time the teacher may complete the required six hours of transcribed coursework; and to clearly state the type of certificate that is to be issued to a teacher who completes an alternative route to certification; 31 SDR 129.

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.
4-5-2005	Tourism and State Development: Board of Economic Development	Adopt rules to implement the "South Dakota Entrepreneur Support Program;" 31 SDR 133.
4-5-2005	Tourism and State Development: Board of Economic Development	Adopt rules to implement the "Capital Investment Entity Program;" 31 SDR 133.
4-14-2005	Agriculture: Weed and Pest Commission	Amend a rule that will add Salt Cedar ( <i>Tamarix ramosissima</i> ) and remove Field Bindweed from the statewide noxious weed list; 31 SDR 133.

### *Rules Review Committee Meetings*

The Interim Rules Review Committee will hold a meeting on Tuesday, March 22, 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.

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