



SOUTH DAKOTA REGISTER

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FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

Notice of Proposed Rules

Date in parentheses indicates when rules were filed with the Legislative Research Council.
Copies of proposed rules may be obtained for no charge at <https://rules.sd.gov> or from the agency directly.

Department of Game, Fish and Parks: (February 16, 2023) intends to amend rules to designate Newton Hills State Park, Rocky Point Recreation Area, and Lake Poinsett Recreation Area as shotgun with shotshells and archery-hunting only parks; designate Revheim Bay Recreation Area as an archery-hunting only area; expand the no boating safety zone near the dam on Angostura Reservoir; require any archery hunter who is hunting public land to first obtain an access permit; expand deer and mourning dove hunting opportunities within the portions of Oahe Downstream Recreation Area west of Highway 1806; modify the number and type of archery deer licenses available to nonresidents; modify the application date for when a nonresident could obtain a public land archery deer license; modify the number and types of archery licenses available to archery deer hunters; modify the archery deer application requirements to require nonresidents to provide the name and contact information from a landowner from whom they've received permission to hunt; modify the number of nonresident archery antelope licenses available and create a lottery for drawing; require nonresidents who obtain a private land license to provide they name and contact information of the South Dakota landowner from whom they've received permission to hunt; and close the mountain goat season. The general authority for these rules, as cited by the department, is SDCL 32-3A-1, 41-2-18, 41-6-21, 41-11-5, and 41-17-1.1.

A public hearing will be held at the Matthews Training Center, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota, on March 9, 2023, at 2:00 p.m. (CT). Copies of the proposed rules may be obtained without charge from, and written comments may be sent to, the Secretary of the Department of Game, Fish and Parks, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501. Comments may also be submitted at <http://gfp.sd.gov/forms/positions>. All written and email comments must include the name, city, and state of the person submitting them. The comment period will close 72 hours prior to the date of the hearing. This hearing is being held in a physically accessible location. Persons with special needs for which the department can make arrangements may call (605) 773-3718 or (605) 223-7684 (Telecommunication Device for the Deaf).

South Dakota Commission on Gaming (Department of Revenue): (February 17, 2023) intends to amend rules to clarify the minimum requirements for supervision of gaming floors to prevent minors from wagering and to ensure minors do not remain in close physical proximity to gaming tables and devices; address repeated instances of minors being in close physical proximity to gaming devices for extended periods of time; authorize a new variation of an existing table side bet and pay table; authorize a new variation of craps known as Dice-Ology; allow the commission to utilize testing conducted for other jurisdictions on equipment and systems utilized for sports wagering; and adjust timeframes for when a system integrity and security risk assessment may be conducted. The general authority for these rules, as cited by the commission, is SDCL 42-7B-7, 42-7B-11, and 42-7B-40.

A public hearing will be held at the Deadwood City Hall, 102 Sherman Street, Deadwood, South Dakota, on March 14, 2023, at 9:00 a.m. (MT). Copies of the proposed rules may be obtained without charge from, and written comments may be sent to, the South Dakota Commission on Gaming, 87 Sherman Street, Deadwood, South Dakota, 57732. Copies of the

proposed rules are also available online at <https://rules.sd.gov>. Comments may also be emailed to mark.heltzel@state.sd.us. The deadline to submit written comments is 72 hours before the public hearing or 5:00 p.m. (MT) on Thursday, March 9, 2023. This hearing is being held in a physically accessible location. Persons with special needs for which the Commission can make arrangements may call (605) 578-3074 at least 48 hours before the public hearing.

SCHEDULED PUBLIC HEARINGS

2-23-2023	<u>Department of Transportation:</u> Amend rules to revise the escort vehicle requirements for extra-width vehicles on certain state trunk highways in and around the Black Hills and change the approved routes for longer combination vehicles on the state trunk highway system; 49 SDR 68, February 6, 2023.
3-9-2023	<u>Department of Game, Fish and Parks:</u> Amend rules to designate Newton Hills State Park, Rocky Point Recreation Area, and Lake Poinsett Recreation Area as shotgun with shotshells and archery-hunting only parks; designate Revheim Bay Recreation Area as an archery-hunting only area; expand the no boating safety zone near the dam on Angostura Reservoir; require any archery hunter who is hunting public land to first obtain an access permit; expand deer and mourning dove hunting opportunities within the portions of Oahe Downstream Recreation Area west of Highway 1806; modify the number and type of archery deer licenses available to nonresidents; modify the application date for when a nonresident could obtain a public land archery deer license; modify the number and types of archery licenses available to archery deer hunters; modify the archery deer application requirements to require nonresidents to provide the name and contact information from a landowner from whom they've received permission to hunt; modify the number of nonresident archery antelope licenses available and create a lottery for drawing; require nonresidents who obtain a private land license to provide they name and contact information of the South Dakota landowner from whom they've received permission to hunt; and close the mountain goat season; 49 SDR 72, February 21, 2023.
3-14-2023	<u>South Dakota Commission on Gaming (Department of Revenue):</u> Amend rules to clarify the minimum requirements for supervision of gaming floors to prevent minors from wagering and to ensure minors do not remain in close physical proximity to gaming tables and devices; address repeated instances of minors being in close physical proximity to gaming devices for extended periods of time; authorize a new variation of an existing table side bet and pay table; authorize a new variation of craps known as Dice-Ology; allow the commission to utilize testing conducted for other jurisdictions on equipment and systems utilized for sports wagering; and adjust timeframes for when a system integrity and security risk assessment may be conducted; 49 SDR 72, February 21, 2023.
3-15-2023	<u>State Board of Elections (Office of the Secretary of State):</u> Amend a rule to update the voter registration form in accordance with Rosebud Sioux Tribe, et. al. v. Steve Barnett, in his official capacity as Secretary of State, et. al. CIV. No. 5:20-CV-5058 (D.S.D. May 17, 2022); 49 SDR 70, February 13, 2023.

RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee will hold an organizational meeting for the 2023 Interim on Tuesday, February 28, 2023, in Room 464 of the Capitol. Find notices of committee meetings in this publication, on the [LRC website](#), and at the Capitol.

The Drafting Manual for Administrative Rules in South Dakota is available on the [Administrative Rules Manual page](#) of the LRC website and is updated regularly to reflect changes in drafting styles and procedures.