



SOUTH DAKOTA COMMISSION ON GAMING

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South Dakota Commission on Gaming Public Hearing on Proposed Rule Amendments and New Rule and Quarterly Business Meeting City Hall, Deadwood, South Dakota

MINUTES

March 14, 2023

At 9:00 a.m. the meeting was called to order. Chairman Karen Wagner, Vice Chairman Karl Fischer, Commissioner Bob Goetz, and Commissioner Harry Christianson were present. Commissioner Hawley participated in the meeting via Zoom. Staff members present for the meeting were Doug Abraham, Commission Attorney; Susan Christian, Executive Secretary; Mark Heltzel, Deputy Executive Secretary; and Phil Schlieff, IT Specialist.

The meeting was called to order by Chairman Wagner at 9:00 a.m. a roll call was taken, a quorum was present, and all voting will be done by roll call.

Commissioner Goetz	Aye
Vice Chairman Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Chairman Wagner	Aye

Chairman Wagner presented a plaque to Vice Chairman Karl Fisher for his years of service on the Commission.

Conflicts of Interest Disclosure

On a roll call no conflicts of interest were disclosed.

Commissioner Goetz	Nay
Vice Chairman Fischer	Nay
Commissioner Hawley	Nay
Commissioner Christianson	Nay
Chairman Wagner	Nay

Adoption of Quarterly Business Meeting Agenda

Chairman Wagner stated there were a few changes to the agenda. The proposed rule amendments number 5) **ARSD 20:18:35.01:03** and 6) **ARSD 20:18:35.01:06** were deferred to the June quarterly meeting.

Vice Chairman Fischer made a motion to adopt the agenda with the deferral of 5) and 6). Commissioner Goetz seconded the motion.

On a roll call the motion carried unanimously.

Commissioner Goetz	Aye
Vice Chairman Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Chairman Wagner	Aye

The court reporter for the rules hearing portion of the meeting was Carla Bachand.

Proposed Rule Amendments and New Rules

Comments by the Industry

Mike Rodman, Deadwood Gaming Association, stated that the proposed rule amendments is something that they have been working on for many months with the commission. Again, thanking the commission for working so closely on this so that we can look at individual properties and let them decide what is best for them and submit that to the commission for consideration.

The following individuals commented on their properties policies and procedures that they have in place relating to premises monitoring and age participants:

William Ashton, Deadwood Mt. Grand, Tony Sieber, Gold Dust, Corey Heintz, Cadillac Jacks, Chris Fenton, VFW, Ken Gienger, Celebrity, and a letter was read from Mike Trucano.

- 1) Proposed amendment to **ARSD 20:18:12.01:16** Premise monitoring required

Vice Chairman Fischer made a motion to adopt the amended language with edits by the Legislative Research Council. Commissioner Goetz seconded the motion.

On a roll call the motion carried unanimously.

Commissioner Goetz	Aye
Vice Chairman Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Chairman Wagner	Aye

2) Proposed amendment to **ARSD 20:18:12.01:23** Age of participants

Commissioner Goetz made a motion to adopt the amended language with edits by the Legislative Research Council. Commissioner Christianson seconded the motion.

On a roll call the motion carried unanimously.

Commissioner Goetz	Aye
Vice Chairman Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Chairman Wagner	Aye

Demonstration of Blazing 7's Progressive Must Hit by and Dice-Ology

Michael Vizzio, representing Light & Wonder, gave a power point demonstration on the Blazing 7's Progressive Must Hit By and Dice-Ology.

3) Proposed amendment to **ARSD 20:18:15:30.19** Variations of the play—Blazing 7's Progressive Must Hit By

Commissioner Christianson made a motion to adopt the amended language with edits by the Legislative Research Council. Commissioner Goetz seconded the motion.

On a roll call the motion carried unanimously.

Commissioner Goetz	Aye
Vice Chairman Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Chairman Wagner	Aye

4) Proposed New Rule: **ARSD 20:18:33:14** Variations of the play—Dice-Ology

Commissioner Goetz made a motion to adopt the amended language with edits by the Legislative Research Council. Vice Chairman Fischer seconded the motion.

On a roll call the motion carried unanimously.

Commissioner Goetz	Aye
Vice Chairman Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Chairman Wagner	Aye

The rules hearing concluded at 10:01 a.m.

General Meeting

Chairman Wagner called the general meeting to order at 10:02 a.m.

December 28, 2022, Quarterly Meeting

Vice Chairman Fischer made a motion to adopt the minutes as drafted for the December 28, 2022, quarterly meeting. Commissioner Goetz seconded the motion.

On a roll call the motion carried unanimously.

Commissioner Goetz	Aye
Vice Chairman Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Chairman Wagner	Aye

Old Business

There was no old business to be discussed at the meeting.

Comments Executive Secretary Susan Christian

Susan Christian, Executive Secretary gave brief comments on the following:

- Thanked the industry for stepping up, providing input, and working with the staff on drafting the proposed rules.
- Gave a brief report on the Association of Racing Commissioners International conference that was attended on March 6, 2023, through March 9, 2023.
- Staff is moving forward on the 3rd party vendors that are associated with the sports wagering providers.
- There are three positions open in the office an auditor, an agent, and gaming specialist. Staff has been interviewing so hopefully soon will have those positions filled.
- The move to Spearfish for the business office is in progress at the one stop center and still working on finding a space in Deadwood.

Approval of New Sports Wagering League

- XFL football league

Susan Christian, Executive Secretary, recommended that the Commission deny the request to add the XFL football league to the sports wagering catalogue due to recent integrity issues that are still under investigation.

Commissioner Christianson made a motion to deny the XFL football league. Commissioner Goetz seconded the motion.

On a roll call the motion carried unanimously.

Commissioner Goetz	Aye
Vice Chairman Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Chairman Wagner	Aye

Deadwood Licensing Matters

Key License Approvals

Deputy Executive Secretary Heltzel recommended approval of the following:

- Williams Ashton
- Robert Hoskin
- William Grounds
- Tammy Marshall-Harris
- Chase Newland
- Gregory Spierkel
- William Hornbuckle
- Atuli Bali
- Keith Meister
- Kendra Finnell
- Maureen Mullarkey-Miller
- Hannah Ncikelson
- Janet Swartz

Commissioner Goetz made a motion to approve the key licenses as staff recommended. Vice Chairman Fischer seconded the motion.

On a roll call the motion carried unanimously.

Commissioner Goetz	Aye
Vice Chairman Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Chairman Wagner	Aye

2023 Key License Renewals

Deputy Executive Secretary Heltzel recommended approval of the following:

- Jess Allen
- Michelle Harmon
- Deb Klima
- Ernest Matthews
- William Stearns
- Liz Vodika

Vice Chairman Fischer made a motion to approve the key license renewals as staff recommended. Commissioner Goetz seconded the motion.

On a roll call the motion carried unanimously.

Commissioner Goetz	Aye
Vice Chairman Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Chairman Wagner	Aye

Business License Approvals

Deputy Executive Secretary Heltzel recommended approval of the following:

- Approval for a Retail license (**13145-RT**) to Sportsbook Deadwood, LLC. The retail license will be assigned to 53 Sherman Street, the Landmark Casino.

Commissioner Goetz made a motion to approve the business license as staff recommended. Vice Chairman Fischer seconded the motion.

On a roll call the motion carried unanimously.

Commissioner Goetz	Aye
Vice Chairman Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Chairman Wagner	Aye

- BetMGM, Internet Sports International, and IGT were issued Sports Wagering Service Providers license with conditions that they would be responsible for the third-party vendors they were using. Staff has been able to call forward those third-party vendors, and recommending those conditions be removed from their licenses.

Commissioner Goetz made a motion to remove the conditions from the business licenses as staff recommended. Commission Christianson seconded the motion.

On a roll call the motion carried unanimously.

Commissioner Goetz	Aye
Vice Chairman Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Chairman Wagner	Aye

Approval of Next Quarterly Commission Meeting

- Tuesday June 13, 2023

Vice Chairman Fischer made a motion to approve the date for the next scheduled quarterly meeting. Commissioner Goetz seconded the motion.

On a roll call the motion carried unanimously.

Commissioner Goetz	Aye
Vice Chairman Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Chairman Wagner	Aye

Public Comment

There was no participation for the comment period of the meeting.

Executive Session

Executive Session pursuant to SDCL 1-25-2

With no administrative decisions the Commissioners did not go into Executive Session.

Adjournment

With no further business to discuss Commissioner Goetz made a motion to adjourn the meeting. Vice Chairman Fischer seconded the motion.

On a roll call the motion carried unanimously.

Commissioner Goetz	Aye
Vice Chairman Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Chairman Wagner	Aye

The meeting was adjourned at 10:21 a.m.

Respectfully Submitted,

Kathy Beringer



Karen Wagner, Madam Chairman



Susan Christian, Executive Secretary