



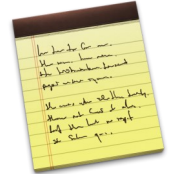
LEGISLATIVE UPDATE

February 21, 2014

Spring #4



2014 LEGISLATIVE NOTES



By Richard Howard,
SDATAT Lobbyist/Transportation Consultant

This week was CRUNCH TIME at the Legislature. Today is Legislative Day (L.D.) #24, and all bills must be approved by the Committee in the House of Origin by Monday and must pass the House of Origin by Tuesday (L.D. 26).

SDATAT's bills have passed the House of Origin and are awaiting action in the second House. SB 103 passed the House Transportation Committee on Feb. 13th and was on the House calendar on Feb. 19, 20, and 21; however, the House deferred action on all Senate bills as they scrambled to pass House bills during the week. HB 1133 passed the House on Feb. 10th, and was assigned to the Senate Local Government Committee, but has not been scheduled for Committee hearing.

HB 1140 (the road and bridge capital improvement tax bill) passed the House on Feb. 18 by a vote of 48-20 (47 votes were required for passage). The bill was assigned to the Senate Taxation Committee and is scheduled for hearing on Mon., Feb. 24. The Governor's office continues to be opposed, and last year a similar bill failed to

pass the Senate, so passage of HB 1140 continues to be a challenge. Your assistance would be valuable in contacting your Senators this weekend and ask for their support. It would be particularly important to contact members of The Senate Taxation Committee – Senators Otten, Monroe, Ewing, C. Jones, Kirkeby, Omdahl, and Welke.

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Other bills on which SDATAT is involved also had action this week. HB 1242 (the snow removal reserve fund bill) was tabled by Rep. Tulson after HB 1140 passed the House. HB 1261 (a \$5 million State General Fund appropriation for county and township bridges) was killed this morning in the House Appropriations Committee.

SB 169 (the meandered water bill) was tabled in the Senate on Feb. 18th by its prime sponsor due to a substantial number of amendments being proposed. Also a group of impacted Day County landowners provided the Senators information showing that they did not consider SB 169 to be an acceptable compromise for the issue. Following that, SB 146, dealing with public access on county and township roads was withdrawn by its sponsor.

FUN FACT

It takes only a simple majority of the members of each house to pass the bill that funds all of state government, but it takes a 2/3rds of the members to pass other smaller, specific spending measures.

SDATAT BILLS UPDATE

SB 103 – An Act to establish certain civil penalties for tampering or removing any highway marker, sign, or control device and to distribute the revenue from such civil penalties. - This bill would impose a civil penalty not to exceed \$2000 and the penalty would be distributed to the political subdivision with jurisdiction on the involved highway.

2/5/14 Transportation Do Pass, Passed, YEAS 6, NAYS 0.

2/6/14 Senate Do Pass, Passed, YEAS 31, NAYS 2.

2/13/14 Transportation Motion to amend, Passed Amendment 103oa

2/13/14 Transportation Do Pass Amended, Passed, YEAS 12, NAYS 0.

2/21/14 House of Representatives Deferred to another day. Passed

HB 1133 - An Act to repeal or revise certain provisions concerning townships. – This bill repeals and updates several existing township statutes.

2/6/14 Local Government Do Pass, Passed, YEAS 10, NAYS 2

2/10/14 House of Representatives Do Pass, Passed, YEAS 67, NAYS 1.

2/11/14 First read in Senate and referred to Senate Local Government

HB 1140 – An Act to permit townships to levy a capital improvement property tax for secondary roads, bridges, and culverts.

2/11/14 Taxation Motion to amend, Passed Amendment 1140fa

2/11/14 Taxation Do Pass Amended, Passed, YEAS 11, NAYS 4.

2/18/14 House of Representatives Do Pass Amended, Passed, YEAS 48, NAYS 20

2/19/14 First read in Senate and referred to Senate Taxation S.J. 366

2/24/14 Scheduled for hearing.



**BILLS
OF
INTEREST**

OTHER BILLS OF INTEREST

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HB 1173 - An Act to provide authority to establish special purpose districts for county roads.

1/29/14 First read in House and referred to House Transportation.

2/18/14 Transportation Do Pass, Passed, YEAS 8, NAYS 5.

2/19/14 House of Representatives Do Pass, Failed, YEAS 26, NAYS 44

HB 1230 - An act to revise certain provisions concerning the county tax levy for highways and bridges and to permit counties to levy the existing highway and bridge reserve fund tax to make necessary road and bridge improvements.

2/4/14 First read in House and referred to House Transportation.

(Continued on following page)

SB 134 - An act to authorize a winter load increase of certain motor vehicle weight restrictions.

1/30/14 First read in Senate and referred to Senate Transportation .

2/10/14 Transportation Deferred to the 41st legislative day, Passed, YEAS 6, NAYS 1

SB 146 - An act to revise certain provisions regarding the closure of county and township roads due to high water.

1/31/14 First read in Senate and referred to Senate Transportation.

2/5/14 Referred to Senate State Affairs, Passed

2/19/14 Withdrawn at the Request of the Prime Sponsor

(Continued on following page)

2/18/14 Transportation Do Pass, Failed, YEAS 5, NAYS 8

2/18/14 Transportation Deferred to the 41st Legislative day, Passed YEAS 8, NAYS 5.

HB 1242 - An act to revise certain provisions concerning the township snow removal reserve fund.

2/4/14 First read in House and referred to House Taxation.

2/20/14 Taxation Tabled, Passed, YEAS 13, NAYS 0

HB 1261 - An act to authorize the Transportation Commission to award grants to replace, repair, and renovate county & township bridges and to make an appropriation therefor.

2/11/14 Transportation Motion to amend, Passed Amendment 1261fa

2/11/14 Referred to House Appropriations, Passed, YEAS 13, NAYS 0.

2/21/14 Appropriations Deferred to the 41st legislative day, Passed, YEAS 9, NAYS 0.

SB 169 - An act to provide for access to and use of public waters on public and private property and to protect private property rights for the citizens of South Dakota.

2/4/14 First read in Senate and referred to Senate State Affairs.

2/10 State Affairs Do Pass, Passed, YEAS 6, NAYS 3.

2/12/14 Deferred with pending amendment (Rule 5 -17), Passed S.J. 316

2/18/14 Senate Tabled, Passed, YEAS 31, NAYS 3.

SB 111 - An act to revise certain property tax limitations.

2/19/14 Appropriations Tabled, Passed, YEAS 8, NAYS 1.



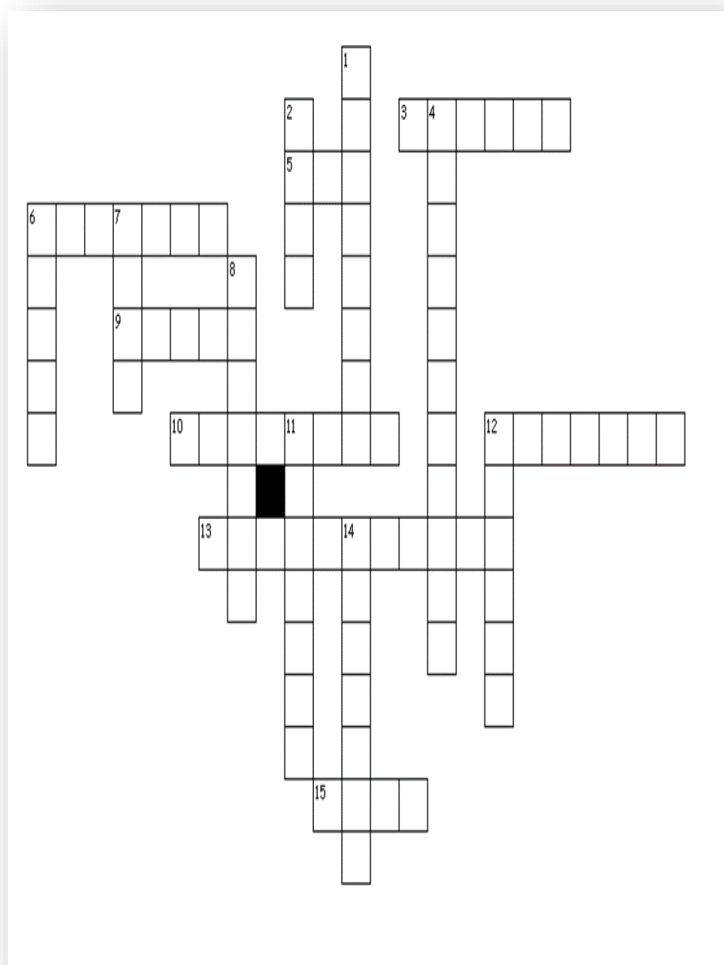
Across

- 3. Meeting of legislators of one party
- 5. A bill passed by the legislature
- 6. To assemble a meeting
- 9. To set aside
- 10. Motion to delay action
- 12. Official records of a meeting
- 13. Person who resides in legislative district
- 15. An idea that may become law

Down

- 1. A formal request submitted to the legislature
- 2. Rules which govern our daily life
- 4. Termination of a meeting
- 6. Designation of current presiding officer
- 7. Governor disapproving a measure
- 8. Period during which legislature meets
- 11. Favorable action on a measure
- 12. A formal request for action
- 14. Interval between regular sessions

(Answers in next Issue)





OTHER POTENTIAL BILLS OF INTEREST:



House Bills:

HB 1006 - An Act to provide for the assessment and taxation of agricultural land based on its actual use.

2/4/14 Agriculture and Natural Resources Tabled, Passed, YEAS 12, NAYS 0.

HB 1072 - An Act to provide for the titling, registration, and operation of golf carts.

1/30/14 Transportation Deferred to the 41st legislative day, Passed, YEAS 8, NAYS 5.

HB 1083 - An Act to restrict the term of conservation easements.

2/6/14 - Agriculture and Natural Resources Do Pass Amended, Passed, YEAS 8, NAYS 5.

2/10/14 House of Representatives Do Pass Amended, Failed, YEAS 17, NAYS 51.

HB 1097 - An act to revise the criteria for classifying property as agricultural land.

2/18/14 - House of Representatives Do Pass Amended, Failed, YEAS 35, NAYS 34

2/19/14 House of Representatives Reconsidered, Passed, YEAS 39, NAYS 31

2/19/14 House of Representatives Do Pass Amended, Passed YEAS 37, NAYS 33.

2/20/14 First read in Senate & referred to Senate Agriculture and Natural Resources.

HB 1190 - An Act to revise the gross receipts tax imposed on wind farms.

1/31/14 - First read in House and referred to House Taxation.

2/20/14 - Taxation Tabled, Passed, YEAS 14, NAYS 0.

HB 1204 - An Act to include certain court fines in a school district's local effort for purposes of the state aid to general education formula, and to establish the per student allocation for school fiscal year 2016.

2/13/14 - Appropriations Do Pass Amended, Passed, YEAS 6, NAYS 3.

2/20/14 House of Representatives Do Pass Amended, Failed, YEAS 32, NAYS 38.

Senate Bills:

SB 8 - An Act to revise certain provisions concerning the assessment and taxation of real property.

1/30/14 Agriculture and Natural Resources Tabled, Passed, YEAS 9, NAYS 0.

SB 46 - An Act to revise certain provisions regarding animal welfare and to provide a felony penalty for cruelty to animals.

2/6/14 Referred to Senate Agriculture and Natural Resources.

2/11/14 Agriculture and Natural Resources Do Pass Amended, Passed, YEAS 9, NAYS 0.

2/13/14 Senate Do Pass Amended, Passed, YEAS 33, NAYS 0

2/18/14 First read in House and referred to House Judiciary.

SB 58 - An Act to provide for permits to be issued for certain harvest vehicles.

1/29/14 Transportation Do Pass, Passed, YEAS 7, NAYS 0.

1/30/14 Senate Do Pass, Passed, YEAS 34, NAYS 0

2/6/14 Transportation Do Pass, Passed, YEAS 13, NAYS 0.

2/7/14 House of Representatives Do Pass, Passed, YEAS 64, NAYS 0.

2/18/14 Signed by Governor

SB 83 - An Act to authorize townships and counties to impose real estate transfer fees.

1/31/14 Scheduled for hearing in Senate Taxation.

2/5/14 Taxation Deferred to the 41st legislative day, Passed, YEAS 6, NAYS 0.

SB 93 - An Act to define liquid natural gas, to revise certain provisions regarding the collection of the motor fuel tax, and to apply motor fuel tax to all fuels used to propel a motor vehicle.

2/4/14 Senate Do Pass, Passed, YEAS 31, NAYS 4.

POTENTIAL BILLS (HOUSE)CONTINUED:

HB 1208 - An Act to restrict access to certain waters that inundate private property.

1/31/14 First read in House and referred to House Taxation

2/20/14 Taxation Do Pass Amended, Passed,
YEAS 14, NAYS 0

HB 1223 - An Act to revise certain provisions relating to appeals to county boards of adjustment.

2/13/14 Local Government Do Pass, Failed, YEAS 5, NAYS 6

2/18/14 Local Government Deferred to the 41st legislative day, Passed,YEAS 8, NAYS 4.

POTENTIAL BILLS (SENATE)CONTINUED:

2/13/14 Transportation Do Pass, Passed, YEAS 10, NAYS 2

2/21/14 House of Representatives Deferred to another day, Passed.

SB 117 - An Act to establish a county highway capital improvement fund and to levy a capital improvement property tax for county highways, secondary roads, bridges, and culverts.

2/12/14 Scheduled for hearing in Senate Local Government.

2/19/14 Local Government Deferred to the 41st legislative day, Passed,YEAS 6, NAYS 1.

89th Legislative Session Calendar

FEBRUARY/MARCH



FEBRUARY

21 - Last day to use Joint Rule 5-17

24 - Last day to move required delivery of bills or resolutions in the house of origin

25 - Last day for a bill or joint resolution to pass the house of origin

27 - Last day for commemorations (tentative) and to introduce concurrent resolutions

MARCH

10 - Last day to move required delivery of bills or resolutions in the second house

11 - Last day for a bill or joint resolution to pass both houses

12 - Last day to introduce commemorations - Reserved for concurrences or conference committees.

13 - Reserved for concurrences of conference committees

14 - Reserved for concurrences or conference committees

17-28 RECESS

31 - Reserved for consideration of gubernatorial vetoes

IMPORTANT CONTACT INFORMATION

To Track Legislation

<http://legis.sd.gov/>

To Listen To Committees Live:

http://legis.sd.gov/Legislative_Session/Committees/default.aspx?Session=2014

Address: Legislative Research Council

Capitol Building, 3rd Floor - 500 East Capitol Avenue
Pierre, SD 57501-5070

Phone:(605) 773-3251 **Staff Fax:** (605) 773-4576

Legislator Fax (Session Only): (605) 773-6806

Fax a Message (to a specific legislator) - 605 773 6806



SDATAT CALENDAR OF EVENTS

February 24 - Charles Mix Co Township Meeting - 10:00 a.m.

February 26 - Codington Co Township Meeting - TBA

March 5 - Union Co Township Meeting - 10:00 a.m.

March 6 - Clay Co Township Meeting - 7:00 p.m.

March 7 - Spink Co Township Meeting - 1:00 p.m.

March 10 - Lake Co Township Meeting - 6:00 p.m. (meal) - 6:30 p.m. (meeting)

March 12 - Day/Roberts/Marshall Co Twp Meeting - 9:30 a.m. - Roslyn H.S.

March 26 - Brown Co Township Meeting - 7:00 p.m.

April 7 - Minnehaha Co Township Meeting - 7:00 p.m.