



SDATAT's LEGISLATIVE NEWSLETTER

February 1, 2013

Spring #2

LEGISLATIVE NOTES



88th Legislative Session

By Richard Howard

The Session is moving by quickly, and the Legislators are passing bills dealing with big issues early in the session rather than waiting until the end. This week, they passed HB 1066 - Extending the 1/2 cent Tourism Tax, HB 1087 - the School Sentinel bill which lets local school boards decide if they want to have armed guards (or armed teachers) in their schools, SB 70 - Modifying the State's public safety system in dealing with non-violent criminals.

It was also a good week for SDATAT's legislation as 4 of our bills were approved by Committees and 3 of them passed the Senate: SB 126- combining the Clerk/Treasurer positions in townships with less than 50 registered resident voters, SB 122 - authorizing Township Supervisors to set their regular meeting dates, and SB 156 - authorizing townships to increase front footage assessment for improving and maintaining certain roads within the township. SB 157 - which would redistribute a portion of the State's share of the wind energy tax to townships (not to counties) passed the Senate Taxation Committee on 1/28/13 and when it got to the Senate floor, a fiscal note was requested. A fiscal note is prepared by LRC (staff for the Legislature) and the Bureau of Finance and Management to determine the impact of a bill on State revenues. The bill will be considered on the Senate floor after the fiscal note is prepared, which could be a week or more.

Next Wednesday (Feb. 6th) is Township Day at the Legislature, and I look forward to seeing as many Township Supervisors as can make it.

SDATAT BILLS UPDATE:

SB 122 – An Act to revise the dates for holding township board meetings.

01/28/13 - Local Government Do Pass,
Passed, YEAS 6, NAYS 0.

1/29/13 - Senate Do Pass, Passed, YEAS 35,
NAYS 0

1/30/13 - First read in House and referred to
House Local Government

SB 126 – An Act to revise the provisions that authorize townships to combine the offices of the clerk and the treasurer.

01/30/13 - Local Government Do Pass,
Passed, YEAS 7, NAYS 0.

1/31/13 - Senate Do Pass, Passed, YEAS 33,
NAYS 0

(Continued on Following Page)

SB 151 – An Act to clarify the maintenance responsibilities on unimproved section lines.
Expected to be scheduled for a hearing in Senate Transportation February 6 at 7:45 a.m.

SB 156 - An Act to authorize township boards to increase the front foot assessment for road maintenance and repairs.

1/28/13 – Taxation Motion to amend, Passed
1/28/13 - Taxation Do Pass Amended, Passed, YEAS 5, NAYS 2.

1/30/13 - Senate Do Pass Amended, Passed, YEAS 32, NAYS 3.

1/13/13 - First read in House and referred to House Local Government H.J. 272

SB 157 - An Act to revise the distribution from the wind energy tax fund.

1/28/13 - Taxation Motion to amend, Passed
1/28/13 - Taxation Do Pass Amended, Passed, YEAS 5, NAYS 2.

1/30/13 - Fiscal Note Requested, Passed S.J. 279

HB 1112 - An Act to clarify the application of certain open meetings provisions to certain three-member public boards.

1/23/13 – State Affairs Do Pass, Passed, [YEAS 9, NAYS 4.](#)

1/24/13 - House of Representatives Do Pass, Passed, [YEAS 56, NAYS 14.](#)

1/25/13 – First read in Senate and referred to Senate State Affairs S.J. 225

OTHER BILLS OF INTEREST



SB 6 – An act to determine whether factors affecting productivity should be applied if the actual use of agricultural land does not correspond to the soil classification standards.
1/29/13 - Agriculture and Natural Resources Do Pass, Passed, [YEAS 9, NAYS 0.](#)

1/30/13 - Senate Do Pass, Passed, [YEAS 24, NAYS 11.](#)

SB 124: An Act to increase the real estate transfer fees and to revise the distribution of the fees.

1/31/13 - Appropriations Tabled, Passed, [YEAS 9, NAYS 0.](#)

SB 154 – An act to revise the maximum weight allowed on certain wide-based super single tires.

1/28/13 – Scheduled for hearing - Deferred by Chair

SB 155: An Act to establish a local government road improvement grant fund for the purpose of serving new agricultural facilities and to make an appropriation therefor.

2/5/13 - Scheduled for hearing

SB 179 – An act to provide for a uniform county drainage permit application form and to remove the maximum limit for drainage permit fees.

1/30/13 - Scheduled for hearing - Deferred by Chair

SB 195 – An act to establish certain incentives for wind energy facilities, to revise the amount that may be rebated for the gross receipts tax on electricity produced on wind farms, and to declare an emergency.

HB 1007 - An act to restrict the term of conservation easements. Proposed to limit the length of easements to 30 years.

1/24/13 - Agriculture and Natural Resources Motion to amend, Passed

1/24/13 - Agriculture and Natural Resources Deferred to the 41st legislative day, Passed, [YEAS 7, NAYS 6.](#)

1/24/2013 – It was amended in the House Agriculture Committee to 99 years and then defeated by a vote of 7-6

HB 1135 – An act to regulate access to and use of public waters on public and private property.

HB 1189 – An act to permit counties and townships to levy a capital improvement property tax for highways, secondary roads, bridges, and culverts. This bill authorizes

counties to levy up to \$1.00 per \$1000 of property value for capital improvements and authorizes townships to levy up to \$.50 per \$1000.

2/5/13 - Scheduled for hearing



SDATAT CALENDAR

(Please Check Our Website as Times/Days May Change)

***FEBRUARY 6TH - LEGISLATIVE DAY -
Pierre, SD - Please Plan to Attend!***

***FEBRUARY 7TH – 1:30 p.m. - McCook
Co. Township Meeting - Community Rm –
Courthouse Basement - Salem, SD***

***FEBRUARY 11TH – 11:00 a.m. - Charles
Mix Co. Township Meeting - 4-H Bldg –
Lake Andes***

***FEBRUARY 12TH – 2:00 p.m. - Perkins
Co. Township Meeting – Elbert Bentley Bldg
– Bison***

***FEBRUARY 12TH – 1:00 p.m. – Beadle Co.
Township Meeting – Courthouse - Huron***

***FEBRUARY 13TH – 5:30 p.m.
Pennington/Jackson/Meade Co. Township
Meeting –Wall Community Bldg***

***FEBRUARY 19TH –1:30 p.m. - Hamlin
Co. Township Meeting – 4-H Bldg***

***FEBRUARY 20TH - 1:30 - Sanborn Co.
Township Mtg – 4-H Bldg***

***FEBRUARY 26TH - Regular Township
Meeting as Required by SDCL 8-5-1***

***MARCH 5TH – 10:00 a.m. - Douglas Co.
Township Meeting –Courthouse - Armour***

***MARCH 5TH - Annual Township Meeting
as Required by SDCL 8-3-1***

***MARCH 8TH – 1:00 p.m. - Spink Co.
Township Meeting - Redfield***

***MARCH 14TH – 7:00 p.m. Clay Co.
Township Meeting –Courthouse, Vermillion***

***MARCH 26TH – Regular Township
Meeting as Required by SDCL 8-5-1***

***MARCH 28TH –9:00 a.m. -
Day/Marshall/Roberts Co. Township
Meeting***

2013 LEGISLATIVE CALENDAR

(Legislative Sessions will convene Monday-Thursday except for the week of February 18th due to President's Day and the 1st week of March will be a full week)

FEBRUARY 14 – Last day to use Joint Rule 5-17 (Chapter 17)-L.D. 24

FEBRUARY 19 – Last day to move required delivery of bills or resolutions to the house of origin (Chapter 17)L.D. 25

FEBRUARY 20 – Last day for a bill or joint resolution to pass the house of origin (Ch. 17)

FEBRUARY 22 – Last day to introduce concurrent resolutions L.D.28

FEBRUARY 28 – J.R. 5-13 in effect (Chapter 17) L.D. 32

MARCH 4 – Last day to move required delivery of bills or resolutions to the second house. (Chapter 17) L.D. 33

MARCH 5 – Last day for a bill or joint resolution to pass both houses. (Chapter17) L.D. 34

MARCH 6 – Last day to introduce commemorations (JR 6H-1) Reserved for concurrences or conference committees (Chapter 17) L.D. 35

MARCH 7 – Reserved for concurrences or conference committees (Chapter 17) L.D. 36

MARCH 8 – Reserved for concurrences or conference committees (Chapter 17) L.D. 37

MARCH 11-22 – RECESS

MARCH 25 – Reserved for consideration of gubernatorial vetoes (Chapter 17) L.D. 38

IMPORTANT CONTACT INFORMATION

To Track Legislation

<http://legis.state.sd.us>

To Listen To Committees Live:

<http://legis.state.sd.us/sessions/2011/CommitteeMenu.aspx>

Email:

<http://legis.state.sd.us/email/legislatoremail.aspx> (Select legislator's name from drop down box)

Write

500 E Capitol Ave
Pierre, SD 57501

Call

Senate Lobby 605 773 3821
House Lobby 605 773 3851

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

Brought to you by: South Dakota Association of Towns & Townships, PO Box 903, Huron, SD 57350,
605-353-1439, Website: <http://www.sdtownships.com>