



# SDATAT's LEGISLATIVE NEWSLETTER

February 8, 2013

Spring #3

## LEGISLATIVE NOTES



### 88th Legislative Session

By Richard Howard

This past week was very challenging with many bills of interest to SDATAT, as well as several of our bills having Committee hearings and moving to the floor for action. We had a great SDATAT Legislative Day on Feb. 6th. We had very good attendance from our Board members, which was very helpful as they were able to attend and participate in several Committee hearings on important bills. I very much appreciate their participation - their presence and interest on issues was certainly noticed by members of the Legislature. We also had a nice dinner with several Legislative supporters and new members who attended. It is good for the Legislators to get to know our members and learn more about role of Township Government. We also had an opportunity to discuss SDATAT issues with Governor Daugaard.

Yesterday was Legislative Day 20 with 18 Legislative days remaining. The last day for a bill to pass the House of origin is February 20th and the final day to pass the 2nd house is March 5th. The final day of the regular session is March 8th and Veto Day is March 25th. It was a good week for SDATAT bills as shown below. Three passed Committees last week and will be on the Senate Floor this coming week. HB 1189, which we supported, would authorize Township Boards to increase their levy by up to 50 cents per \$1000 of valuation to create a secondary road capital improvement fund for improving and maintaining roads, bridges and culverts if they have a need. As proposed, the levy would be outside of the cap on property tax increases. It is discretionary, but would be available if you needed it. The proposed increase for counties was removed from the bill, as the Committee members felt that townships have much more need. If you support this legislation, it would be good if you would contact your Legislators when they are home this weekend as the bill will be on the House Floor on Tuesday. I want to thank all of you for your assistance.

### 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

**2/7/13** - Local Government Tabled, Passed, YEAS 12, NAYS 0. H.J. 339

This bill was tabled in Committee on Feb. 7<sup>th</sup>, at the request of the sponsor. The Board discussed it at the meeting on 2/6/13, and agreed that we need to work on it more before it is passed and felt it would be better to kill it this year and resubmit another version next year.

#### **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

**2/12/13** – is scheduled for hearing in House Local Government

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**SB 151 – An Act to clarify the maintenance responsibilities on unimproved section lines.**

**2/6/13** - Transportation Do Pass Amended, Passed, YEAS 7, NAYS 0. This was amended so it will be on the Senate floor on 2/11/13.

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

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

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

**2/7/13** - Local Government Do Pass Amended, Passed, YEAS 11, NAYS 2. This will be on the House Floor on 2/11/13

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

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

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

**2/7/13** - Senate Deferred to another day, Passed The Fiscal Note was received by the Senate on 2/6/13. It was on the Senate calendar on 2/7/13, but it was deferred to 2/11/13, along with several other bills, as the Senate adjourned early on 2/7 to return home while the weather was good.

**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

## **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** – was approved unanimously on 2/5/13 by the Senate Ag & Natural Resources Committee and was referred to the Appropriations Committee. I testified in support of this.

**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

The Senate Local Government Committee took testimony on 2/6/13, and scheduled it for additional testimony (for 2 hours) and action on 2/13/13, Cindy Foster, Past SDATAT President, testified (as an individual). There seems to be significant opposition to certain parts of the bill at this time.

**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.**

**SB 240 – An act to provide townships the authority to impose real estate transfer fees.**  
2/11/13 - Scheduled for a hearing in Senate Local Government.

**HB 1135 – An act to regulate access to and use of public waters on public and private property.**  
2/7/13 - Agriculture and Natural Resources Do Pass Amended, Passed, YEAS 12, NAYS 1.

**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 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 - Taxation Do Pass Amended, Failed, YEAS 7, NAYS 7.  
2/5/13 - Taxation Deferred to another day, Passed  
2/7/13 - Taxation Do Pass Amended, Passed, YEAS 11, NAYS 3.  
2/7/13 - Taxation Title amended, Passed

## **IMPORTANT CONTACT INFORMATION**

### **To Track Legislation**

### **To Listen To Committees Live:**

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

<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  
House Lobby**

**605 773 3821  
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>



# **SDATAT CALENDAR**

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

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

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

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

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

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

**FEBRUARY 20<sup>TH</sup>** - 1:30 - Sanborn Co. Township Mtg – 4-H Bldg - Forestburg

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

**FEBRUARY 27<sup>TH</sup>** – 11:00 a.m. – Charles Mix Co. Township Meeting – 4-H Bldg – Lake Andes

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

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

**MARCH 7<sup>TH</sup>** – 1:00 p.m. – Union Co Township Meeting – Courthouse – Elkton

1:00 p.m. – Brookings Co. Township Meeting – Switfel Bldg - Brookings

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

**MARCH 12** – Noon – Kingsbury Co. Township Meeting – 4-H Bldg – Desmet

6:00 p.m. – Lake Co. Township Meeting – Nikki's Restaurant - Madison

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

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

**APRIL 1<sup>ST</sup>** – 7:00 p.m. – Minnehaha Co. Township Meeting – County Admin. Bldg – Sioux Falls