



SDATAT's LEGISLATIVE NEWSLETTER

February 18, 2011

Spring #5

Legislative Notes

86th Legislative Session

By Richard Howard

The sixth week of the 2011 Session ended this week, completing the 24th Legislative Day with only 13 working days remaining. Things were pretty hectic during the week as the last day for a bill to pass its House of Origin is coming on Tuesday (the 26th Legislative Day) so Committees were working hard to complete their assigned bills.

Status of SDATAT bills:

HB 1192 - SDATAT achieved a MAJOR success on February 16th with the passage of HB 1192 which will provide an additional \$5.1 million per year to Townships for road and bridge repair and maintenance. The bill passed by a vote of 53-13 with 4 members absent of which at least 3 would have voted for the bill. A positive vote of 47 members was required for passage. It will now go to the Senate where a hearing is scheduled in the Transportation Committee on Friday, February 25th. It should be scheduled for Senate floor action on February 28th or March 1st.



I want to THANK all of the Board Members for coming to Pierre to testify in Committees and to talk with their Legislators on needed funding for Township and County roads. I also want to THANK all of you who contacted your Legislators and asked for their support. Your assistance is greatly appreciated, and please be assured that it made a difference. Again, I want to thank everyone for efforts to date.



ALERT

We now have a major hurdle to get it passed in the Senate. So, I am now respectfully asking all of you to HELP once again by contacting your Senator and asking for their support. We are close to getting the bill passed, so we must now work together, as a TEAM to gain support in the Senate. We have this and next weekend to contact our Senator in person (the best way) or by e-mail, telephone, or letter. LET'S WORK TOGETHER to accomplish this goal.

HB 1109 – Definition of township roads - This bill was killed in House Local Government Committee on Feb. 8 at SDATAT request. We requested the bill be killed due to opposition from Minnehaha County and concerns of our Attorney on initial and proposed language in the bill. Based on recommendation of our Attorney we agreed to delay action until next session.

HB 1128 – Wind energy tax distribution - was killed in House Taxation Committee on February 15th at SDATAT's request. The major problem the bill was attempting to resolve, involved the wind farm project in Brookings County. Richland Township met with the Brookings County Commissioners on February 8th and were assured that Brookings County would assist the Township in road maintenance and plowing snow in the project area. Richland Township felt they made sufficient progress with the County to warrant withdrawing the bill at this time.

BILLS OF INTEREST

HB 1002: (An act to revise certain provisions regarding the documentation of data used to make adjustments during the assessment process for factors that affect the capacity of the land to produce agricultural products.) This bill passed the House on 2/7 and is awaiting Senate hearing.

HB 1060: (An act to revise certain provisions concerning how motor vehicle license fees are distributed in the unorganized territories of a county.) Passed. Signed by the Governor on 2/16.

HB 1097: (An act to provide for the assessment of certain agricultural land as non-cropland.) Deferred to the 41st day on 2/1.

HB 1098: (An act to revise the limitation on the increases and decreases that may be made to the total taxable value of cropland and non-cropland.) Passed the House on 1/31. Senate hearing scheduled for 2/22.

HB 1114: (An act to revise the conditions under which contracts with local officials are permitted.) Passed the House on 2/8. Referred to Committee on Local Government.

HB 1132: (An act to exempt certain seasonal employees from obtaining a applicator license to apply pesticides.) Deferred to the 41st day on 2/17.

HB 1176: (An act to prohibit county commissioners from providing health insurance for themselves or other part-time county employees.) Deferred to the 41st day on 2/8.

HB 1193 – (An Act to clarify certain statutes prohibiting political subdivisions from restricting firearms.) I testified against this bill along with SDACC and the Municipal League. The bill was killed in House Local Government Committee.

HB 1212 – Increase wheel tax up to 18 wheels. - I prepared an amendment to this bill which would have required counties to allocate 15% of any new wheel tax to townships and 5% to cities. The bill was killed in Committee because of concerns on raising the wheel tax payments on 18 wheelers.

HB 1215 – Repeals refunds for gas tax for non-highway agricultural use. - This bill was amended in the House Transportation Committee so \$700,000 of this fund would go to counties and townships for road maintenance with 40% going to townships and 60% to counties. The bill also provides funding for a number of agriculture programs, including the value-added agriculture development program, the conservation commission erosion control program, and the Northern Crops Institute. I testified in favor of the bill since it provides funding for township roads. Passed the House on 2/17 by a vote of 50 – 16.

HB 1226: (An act to impose additional real estate transfer fees on certain agricultural land and apportion the revenue to local taxing districts.) Taxation deferred to the 41st legislative day.

(continued on following page)

SB 99 - This bill would extend the age of vehicles from 5 years to 10 years to receive the 30% reduction in vehicle registration fees. I testified in favor of this bill as it will increase funding for local government roads by \$4.8 million dollars per year. It passed the Senate on Feb. 10 by a vote of 32-3. Pass House Transportation Committee 2/17 by a vote of 11 - 1.

SB 177 - to increase motor vehicle registration fees, as well as gas tax and vehicle excise tax was killed in Senate Transportation Committee on Feb. 9 at the request of the prime sponsor, Sen. Vehle, as he didn't feel there was sufficient support in the Senate to pass it. Cindy Foster, Rodney Stormo, Dan Thyen, Jim Puffer and Dick Howard testified in favor of the bill.

CALENDAR OF EVENTS

FEBRUARY

Feb 22 - Required Twp Mtgs

MARCH

March 1 - 1st Tues in March - Required Annual Twp Meetings (SDCL 3-1-11)

March 3 - Brookings Co Annual Mtg - 1 p.m. - Swiftel Center

March 8 - Kingsbury Co Annual Mtg - noon meal with meeting to follow.

March 10 - Union Co Annual Mtg - 1:30 p.m. - Elk Point

March 11 - Spink Co Annual Mtg - 1 p.m. - Courthouse, Redfield

March 14 - Clay Co Annual Mtg - 7 p.m. - Courthouse basement - Use east door.

March 17 - ***Deadline for property assessment appeals - Appeals must be in writing. (SDCL 10-11-16)***

March 21 - ***Local Board of Equalization Meet (SDCL 10-11-13)***

March 29 - ***Required Twp Meetings (SDCL 8-5-1)***

IMPORTANT CONTACT INFORMATION

To Track Legislation
<http://legis.state.sd.us>
Contact legislators

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

Write Senator or Representative
500 E Capitol Ave
Pierre, SD 57501

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

Call
Senate Lobby 605 773 3821
House Lobby 605 773 3851