



SDATAT's LEGISLATIVE NEWSLETTER

March 1, 2013

Spring #6

LEGISLATIVE NOTES



88th Legislative Session

By Richard Howard

As members of the Legislature left for home yesterday, there are only 5 days left in the main run of the 88th Legislative Session. The last day for bills to pass both Houses is March 5th. The last 3 days, March 6-8 are reserved for concurrences and conference committees (to adjust the language of any bill that was amended and passed by the House and Senate in different forms to be made exactly the same before final approval) and to approve the FY 2014 Appropriations Bill (State Budget for FY 2014). This past week was another good week for SDATAT's legislation as SB 151 (unimproved section lines), SB 156 (front footage assessments) and HB 1112 (exemption of township boards from certain open meeting requirements) all received final approval, and HB 1189 (township levy for roads and bridges) was approved by the Senate Taxation Committee by a vote of 5-2).



Work remains on SB 157 (redistribution of the wind energy tax) which is scheduled for a hearing in the House Commerce and Energy Committee on Monday (Mar. 4) and HB 1189 which is scheduled for Senate floor action on Mar. 4. THERE IS STILL TIME TO CONTACT YOUR LOCAL REPRESENTATIVES THIS WEEKEND ON SB 157 AND SENATORS ON HB 1189, AND ASK THEM TO SUPPORT THESE BILLS.

I want to thank the Board members who came to Pierre this past week to support HB 1189 and to all of you who have contacted your local Legislators throughout the Session. As I have said before, it takes a **TEAM EFFORT** to get legislation approved. **THANKS** to 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.

SB 122 Continued:

“This bill was tabled in Committee on Feb. 7th, at the request of the sponsor. The Board discussed it 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.

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

2/12/13 - Local Government Do Pass, Passed, YEAS 12, NAYS 0.

2/13/13 - House of Representatives Do Pass, Passed YEAS 70, NAYS 0

2/14/13 - Signed by President

2/19/13 – Signed by Speaker

2/20/13 – Delivered to the Governor

2/27/13 – Signed by the Governor

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

2/13/13 – Senate Do Pass Amended, Passed, YEAS 35, NAYS 0

2/19/13 - Transportation Do Pass Amended, Passed, YEAS 11, NAYS 2

2/25/13 - House of Representatives Do Pass Amended, Passed, YEAS 66, NAYS 3.

2/27/13 - Senate Failed to concur, appoint Conference Committee, Passed

2/27/13 - House of Representatives Conference Committee appointments

3/4/13 – Conference Committee is scheduled to meet.

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

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.

2/25/13 - House of Representatives Do Pass Amended, Passed, YEAS 61, NAYS 7.

2/27/13 - Senate Concurred in amendments, Passed, YEAS 31, NAYS 4.

2/28/13 - Signed by President

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

2/13/13 – Senate Do Pass Amended, Passed, YEAS 27, NAYS 8.

2/14/13 – First read in House and referred to House Commerce and Energy

3/4/13 – Scheduled for hearing

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

2/25/13 - State Affairs Do Pass, Passed, YEAS 6, NAYS 0.

2/26/13 - Senate Do Pass, Passed, YEAS 35, NAYS 0.

2/28/13 – Signed by Speaker

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.

1/31/13 - First read in House and referred to House Agriculture and Natural Resources

2/26/13 - Agriculture and Natural Resources Do Pass, Passed, YEAS 13, NAYS 0.

2/27/13 - House of Representatives Do Pass, Passed, YEAS 59, NAYS 8.

2/28/13 – Signed by President

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.

2/15/13 - Transportation Do Pass Amended, Passed, YEAS 7, NAYS 0.

2/20/13 - Senate Do Pass Amended, Passed, YEAS 32, NAYS 1. House Transportation

2/28/13 - Transportation Do Pass, Passed, YEAS 13, NAYS 0.

2/28/13 – Placed on consent, Passed

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 therefore.

2/5/13 - Referred to Senate Appropriations, Passed, YEAS 9, NAYS 0.

2/19/13 – Appropriations Do Pass Amended, Passed, YEAS 8, NAYS 0

2/20/13 – Senate Do Pass Amended, Passed, YEAS 32, NAYS 1

2/26/13 – Referred to House Appropriations, Passed, YEAS 10, NAYS 3

3/4/13 – 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.

2/13/13 - Local Government Deferred to the 41st legislative day, Passed, YEAS 6, NAYS 1.

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.

1/25/13 - First read in Senate and referred to Senate Commerce and Energy

2/14/13 - Commerce and Energy Do Pass Amended, Passed, YEAS 6, NAYS 1.

Commerce and Energy Title amended, Passed

2/23/13 – First read in House and referred to House Commerce and Energy.

3/4/13 – Scheduled for hearing

SB 240 – An act to provide townships the authority to impose real estate transfer fees.

2/15/13 - Local Government Deferred to the 41st legislative day, Passed, YEAS 7, NAYS 0.

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.

1/22/13 - First read in House and referred to House Agriculture and Natural Resources

2/7/13 – Ag. & Natural Resources Do Pass Amended, Passed, YEAS 12 NAYS 1

2/13/13 - House of Representatives Do Pass Amended, Passed, YEAS 37, NAYS 32

2/14/13 – First read in Senate and referred to Senate State Affairs

2/20/13 - State Affairs Deferred to the 41st legislative day, Passed, YEAS 9, NAYS 0.

HB 1158 – An act to revise certain provisions relating to the posting of public notice for meetings of public bodies.

2/5/13 - Local Government Motion to amend, Passed YEAS 70, NAYS 0

HB 1158 Continued:

2/7/13 - House of Representatives Do Pass Amended, Passed, YEAS 70, NAYS 0
2/12/13 - First read in Senate and referred to Senate Local Government
2/22/13 – Senate Local Government, Passed, YEAS 7, NAYS 0
2/25/13 – Senate Do Pass Amended, Passed YEAS 7, NAYS 0
2/26/13 – Signed by Speaker
2/27/13 – Signed by President
2/28/13 – Delivered to Governor

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

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

2/5/13 - Taxation Do Pass Amended, Failed, YEAS 7, NAYS 7.
2/7/13 – Taxation Do Pass Amended, Passed, YEAS 11, NAYS 3. Taxation Title amended, Passed (The amendment removed counties from the bill.)
2/13/13 - House of Representatives Do Pass Amended, Passed, YEAS 47, NAYS 22.
2/27/13 – Senate Taxation Do Pass, Passed, YEAS 5, NAYS 2.
2/28/13 - Senate Deferred to another day, Passed



SDATAT CALENDAR

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

- 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 7TH** – 1:00 p.m. – Brookings Co. Township Meeting – Swiftel Bldg - Brookings
- MARCH 7TH** – 1:00 p.m. - Union Co. Township Meeting - Elkton
- MARCH 8TH** – 1:00 p.m. - Spink Co. Township Meeting - Redfield
- MARCH 12TH** – 12:00 p.m. – Kingsbury Co. Township Meeting – 4-H Bldg - DeSmet
- MARCH 7TH** – 6:00 p.m. – Brookings Co. Township Meeting – Swiftel Bldg – Brookings
- MARCH 8TH** – 1:00 p.m. – Spink Co. Township Meeting – Courthouse – Redfield
- MARCH 12TH** – 12:00 p.m. – Kingsbury Co. Township Meeting – 4-H Bldg - DeSmet
- MARCH 12TH** – 6:00 p.m. – Lake Co. Township Meeting – Nikki’s Restaurant - Madison
- MARCH 13TH** – 1:30 p.m. – Aurora Co. Township Meeting – Courthouse - Plankinton
- MARCH 14TH** – 7:00 p.m. - Clay Co. Township Meeting – Courthouse, Vermillion
- MARCH 15TH** – 12:00 p.m. – Deuel Co. Township Meeting – 4-H Bldg – Clear Lake
- MARCH 26TH** – 6:30 p.m. – Brown Co. Township Meeting – Courthouse - Aberdeen
- MARCH 28TH** – 9:00 a.m. - Day/Marshall/Roberts Co. Township Meeting
- APRIL 1ST** – 7:00 p.m. – Minnehaha Co. Township Meeting – Co. Admin. Bldg – Sioux Falls

Important Upcoming Meeting Dates:

March 5 – Annual Twp Mtg & Election

March 18 – Regular Twp Mtg for equalizing the assessment of property in your township

March 26 – Regular township meeting of the “newly” elected township officials.

December 4th & 5th – SDATAT Annual Mtg – Crossroads Event Center – Huron, SD – 605-352-3204 (*There are 50 rooms blocked at the state rate of only \$50. Once those rooms are gone the rate will go up to \$76.99 – so reserve your room now!*)

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,
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