

# **SDATAT's 7<sup>th</sup> Legislative Newsletter February 26, 2010**

The 7<sup>th</sup> Legislative Week has been completed and all bills that are still alive had to have passed the house of origin by Feb. 23<sup>rd</sup>. Hearings will be held in committees of the 2<sup>nd</sup> house during the upcoming week and all bills must pass the 2<sup>nd</sup> house by March 9<sup>th</sup>. SDATAT has 3 bills that are scheduled for hearings on March 2, 3 & 4, as discussed below. As we enter this final week, your HELP IS NEEDED one more time. PLEASE CONTACT your REPRESENTATIVES this WEEKEND and ask them to SUPPORT SB 130 and SB 192. Also contact your SENATORS and ask them to SUPPORT HB 1227.

## **STATUS OF SDATAT'S BILLS:**

**SB 1** - An Act to increase certain registration fees and taxes for use of motor vehicles on the public highways was killed in the Senate Transportation Committee on Feb. 1 based on a lack of support on the Senate floor at the time. No further action has been taken.

**SB 130** - An Act to revise certain provisions concerning the township road system" had a hearing on 2/12/10 in the Senate Transportation Committee. It was approved by a vote of 4-3. An amendment was placed on the bill on the floor and it passed the Senate 33-1 on Feb. 18th. It has been scheduled for a hearing in the House Local Government Committee on 3/4/10 at 10 am. Minnehaha County has advised that they intend to continue their opposition in the House.

**SB 192** - An Act to modify distributions from the wind energy tax fund by allocating more money to townships when wind farms are built along township roads. It would allocate the wind energy tax based on a ratio of miles of township roads to miles of county roads. It unanimously passed the Senate floor on 2/17/10 and has been scheduled for a hearing in the House Taxation Committee on 3/2/10 at 7:45 am.

**HB 1227** - An Act to allow townships the ability to provide certain health, life and disability income insurance benefits - was totally amended ("hog housed") and approved in amended form by the House Local Government Committee on Feb. 17th. HB 1227, as amended passed the House 62-6 on 2/22/10. The bill was amended so it does not authorize group life insurance for township officers as we had proposed. It was felt necessary to remove that in order to get the bill out of Committee and approved on the House floor. We will try to get that provision restored in the Senate. It is scheduled for a hearing in the Senate Local Government Committee on 3/3/10 at 10 am.

**HB 1166-** An Act to clarify the locations where the local boards of equalization may meet, giving the decision to the board as to where to meet was officially signed by the Governor on Feb. 25, 2010.

**HB 1262-** An Act to adjust motor vehicle registration fees was introduced in the House on Feb. 3 and was tabled by the House Transportation committee at the request of the sponsor (Rep. Lederman) on 2/18/10.

## **ACTION ON OTHER BILLS OF INTEREST TO SDATAT:**

**HB 1046** - An Act to revise certain provisions for the procurement of goods and services for governmental agencies was tabled in House State Affairs Committee. on Feb. 3." It was referred to the House Government Operations and Audit Committee where it was amended and hog housed on 2/22/10. It passed the House on 2/23/10 and was referred to the Senate State Affairs Committee on 2/24/10. As amended, it was supported by local governments.

**HB 1093** - An Act to revise the open meeting requirement to permit the use of teleconferencing for rule-making and other purposes was amended and unanimously passed by the House State Affairs Committee. It passed the House unanimously on 2/16/10 and was referred to Senate State Affairs committee on 2/17/10.

**HB 1113** – An Act to specify certain animal species for animal damage control was referred to Agriculture and Natural Resources Committee and passed on 2/18/10. The bill was lost as it failed to pass as amended on the House floor on 2/22/10.

**HB 1128** – An Act to revise certain provisions concerning fire protection services provided through township funding was amended and unanimously passed the House. It was then referred to the Senate Local Government where it passed unanimously on 2/24/10 and was placed on the consent calendar. It then passed unanimously on the Senate floor on 2/25/10.

**HB 1193-** An Act to allow certain local governments to participate in the state health insurance plan was deferred to the 41<sup>st</sup> day in the House Commerce committee.

**HB 1195** – An Act to provide for certain overweight permits during the time of a seasonal vehicle weight restriction was tabled in the House Transportation committee.

**HB 1196-** An Act to establish a certain distance from the municipality's corporate limits in which the municipality has planning and zoning authority was deferred to the 41<sup>st</sup> day by the House Local Government committee.

**HB 1214** – An Act to allow for the acquisition of the fee ownership of highway right-of way land for certain local governments was amended in the House Local Government Committee to include Townships and passed. On 2/10/10, it unanimously passed the House and has now been referred to Senate Local Government where it is scheduled for a hearing on 3/3/10.

**HB 1239-** An Act to establish certain procedures for counties to follow when requiring landowners to cut and remove grass, weeds, and brush from the road right-of-way was amended and passed the House. It was referred to the Senate Local Government Committee and tabled on 2/24/10.

**HB 1262** - An Act to adjust certain registration fees for the use of motor vehicles on the public highways. This is the House Bill that may be used and amended to provide for a vehicle registration fee increase if it is determined that sufficient support exists among the House members." It was tabled in the House Transportation committee on 2/18/10. No further action has been taken.

**SB 58** – An Act to revise certain real property taxes for small renewable energy facilities was amended and passed by the Senate. It has been scheduled for a hearing on 3/1/10 in the House State Affairs.

**SB 78-** An Act to revise the total amount of revenue payable to municipalities and townships from taxes on real property was amended in Committee to include townships. Passed the Senate on 2/3/10 and has been referred to the committee on House Taxation where it is scheduled for a hearing on 3/2/10.

**SB 104** – An Act to revise certain provisions regarding disclosure of public information and public meetings was referred to Senate State Affairs and was totally “hog housed” and amended. As amended, it requires that draft, unapproved minutes be available for inspection within 10 days after the meeting It passed the Senate unanimously on 2/23/10 and was referred to the House Local Government Committee on 2/24/10.

**SB 133-** An Act to revise certain procedures for handling complaints regarding open meeting requirements unanimously passed the Senate floor on 2/18/10. It then was referred to House Local Government Committee where it was placed on the consent calendar on 2/25/10.

**SB 147** - An Act to establish a legislative policy to biannually review the highway needs and adjust the highway user fees was amended and passed by the Senate Transportation committee on 2/19/10. However, it failed on the Senate floor as amended on 2/23/10.

**SB 155** - An Act to provide for the promulgation and adoption of administrative rules with a substantial financial impact upon political subdivisions of state government was amended and title changed to “An Act to revise the rules promulgation process for administrative rules with a financial impact upon political subdivisions of state government”. It passed the Senate Floor on 2/18/10 and now has been referred to House Local Government Committee.

**SB 160-** An Act to allow certain local governments to participate in the state health insurance plan was heard in the Senate Health and Human Services committee and deferred to the 41st legislative day on 2/19/10.

**SB 161-** An Act to impose a fee on certain pipelines carrying crude oil and to create a crude oil pipeline compensation fund that may be used in the event of a crude oil spill was passed by the Senate State Affairs Committee on 2/22/10 but failed to pass the Senate floor on 2/23/10.

**SB 171-** An Act to create an additional classification of real property and provide for its assessment and to revise certain provisions concerning the taxation of such property was deferred by the Senate Taxation committee to the 41<sup>st</sup> Legislative Day.

**SB 180-** An Act to clarify certain statutes prohibiting political subdivisions from restricting firearms and was deferred to the 41st legislative day by the Senate State Affairs on 2/17/10.

# CALENDAR OF EVENTS

## MARCH

**SB 182 - An Act to provide for the annual adjustment of certain fuel tax rates. This bill would increase the gas tax each year by the CPI - the same index factor as applied to property tax was deferred by the Senate Transportation committee to the 41<sup>st</sup> Day on 2/12/10.**

**SB 184- An Act to revise certain provisions concerning the taxes imposed by water development districts and the formation of water development districts was amended and passed the Senate floor on 2/22/10. It has now been referred to the House Taxation Committee.**

**If you have any questions or comments on any legislation, please feel free to contact the SDATAT Office at (605) 353-1439 or Dick Howard at (605) 222-7700.**

In addition to contacting your legislator when they are at home, you may contact them in Pierre by e-mail, telephone or letter. Addresses and phone numbers are provided below.

### IMPORTANT CONTACT INFORMATION

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

TO 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

#### Call

Senate Lobby 605 773 3821  
House Lobby 605 773 3851

To contact the SDATAT Lobbyist- Dick Howard,  
Call the Lobbyist Desk at 605 224 5030 or  
Call Dick at 605 222-7700.

- 2**                    **Township Annual Meetings**  
**(Required by law SDCL 8-3-1)**
- 4**                    Brookings County Township Mtg.  
12 noon- County Resource Center in  
Brookings, SD.
- 5**                    Spink County Township Mtg. 1pm-  
Courthouse, Redfield, SD
- 5**                    Deuel County Township Mtg. 12 noon  
4 H Building in Clear Lake, SD
- 8**                    Clay County Township Mtg. 7pm  
Public Safety Bldg, Vermillion, SD
- 9**                    Union County Township Mtg. 1:30 pm  
Courthouse in Elkpoint, SD
- 11**                   **Deadline for property**  
**assessment appeals**
- 11**                   Miner County Township Mtg. 7 pm-  
Courthouse Basement Howard, SD
- 11**                   Lake County Township Mtg. 6 pm-  
Nikki's Restaurant, Madison, SD
- 15**                   **Local Boards of Equalization**  
**Meet (SDCL 10-11-13)**
- 16**                   Lincoln County Township Mtg. at  
6:30 pm, Pizza Ranch in Tea, SD
- 18**                   Kingsbury County Township Mtg. at  
12 noon, 4 H Bldg. in Desmet, SD
- 23**                   Brown County Township Mtg. at  
1 pm- Courthouse in Aberdeen, SD
- 30**                   **Township Board of Supervisor**  
**Mtg. (SDCL 8-5-1)**