



SDATAT's LEGISLATIVE NEWSLETTER

March 3, 2011

Spring #7

Legislative Notes

86th Legislative Session

By Richard Howard

The eighth week of the 2011 Legislative Session ended today, completing the 32nd Legislative Day with 5 working days remaining during the main run of the Session.

The final Legislative Day, on March 28th, is reserved for considering Gubernatorial vetoes. All bills must pass both Houses by March 8th. The last 3 days, March 9, 10 and 11, are reserved for concurrences of amendments or conference committees.

Status of SDATAT Bills:

HB 1192 - License Plate Fee Bill - **SDATAT achieved another MAJOR milestone on Monday with the passage of HB 1192 in the Senate by a vote of 31 to 3.** The bill has now been passed by both Houses with wide margins of approval, and has been delivered to the Governor's desk for him to approve or veto. He now has 5 days (not counting Saturday or Sunday) to make his decision, which will be Wednesday, March 9th. The bill's prime sponsors, Rep. Street and Sen. Hansen, along with the Democratic and Republican leadership from both Houses met with the Governor this morning. The Governor confirmed that he was going to VETO the bill. The Legislature now has the opportunity to over-ride the Governor's veto by a 2/3 vote in each House. These votes will likely occur on Thursday, March 10th.

Having passed the House by a vote of 53 to 13 - with only 47 votes needed to over-ride the veto, the chances are very good that it will be over-ridden in the House. It will then go back to the Senate where

24 votes are needed to over-ride the veto. The Governor indicated that he was vetoing the bill to comply with his campaign pledge to not increase any taxes, but he realized there were problems on local roads and that emergencies were likely to occur this spring due to flooding. That was interpreted to mean that he will not fight the over-ride vote too vigorously.



ALERT

I am requesting one final time for this year that you CONTACT your Legislators this WEEKEND and ask them to vote to OVER-RIDE the veto of HB 1192 next week. It hasn't been easy, but we are only one hurdle away from getting this HISTORICAL bill passed. This will be the LARGEST local government road and bridge funding bill ever passed in South Dakota. I want to THANK Board members and EVERYONE else who has assisted in this endeavor by coming to Pierre to testify and show support for the bill and those who have contacted their Legislators when asked. It has been a real TEAM effort, and by working together we are going to be successful!!!

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.) The bill was passed as amended on 2/24/11 and delivered to the Governor on 3/1/11.

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 deferred to the 41st day on 2/22.

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 1114: (An act to revise the conditions under which contracts with local officials are permitted.) Passed Senate 34-0.

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.

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.

Bills of Interest Continued -

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 Senate on 3/2/11 by a vote of 26-8.

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.

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. It is deferred to another day at present.

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

MARCH

March 7 – Lake Co Annual Mtg – Meal at 6 p.m. – Meeting at 6:30 p.m. at Nicky's in Madison

March 8 – Kingsbury Co Annual Mtg – noon meal with meeting to follow. 4-H Bldg

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 18 – Miner Co Annual Mtg – 6:30 - Courthouse

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

March 28 – Lincoln Co Annual Mtg – Pizza Ranch, Lennox – 6:30 - Supper

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

March 29 - Codrington Co Annual Mtg - Extension Complex (use north door)

IMPORTANT CONTACT INFORMATION

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