

# SDATAT's 8<sup>th</sup> Legislative Newsletter March 5, 2010

The 8<sup>th</sup> Legislative Week has been completed and all bills that have passed the house of origin must pass the 2<sup>nd</sup> house by March 9<sup>th</sup>. SDATAT's bills did not fare too well this week, as discussed below. As the session enters its final week, it is expected that most attention will be given to the State budget deficit and where to make needed cuts.

## 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. In an unanticipated event, HB 130 was killed in the House Local Government Committee on March 4th. Minnehaha County continued their opposition in the Committee. Unfortunately, to several Committee members, it became a conflict between a township, a county and a housing development with a pending lawsuit, and a feud between county commissioners opposing each. The Committee members don't like controversy, and basically said wait until the lawsuit is over and for the locals to resolve their conflict and then come back again – maybe next year.

**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 was approved 9-2 in the House Taxation Committee on 3/2/10 with an amendment proposed by SDATAT. It is scheduled for action on the House floor on Monday, 3/8/10. PLEASE CONTACT YOUR REPRESENTATIVES BEFORE MONDAY AND ASK THEM TO SUPPORT THIS BILL.

**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. It passed the House 60-6 on February 22<sup>nd</sup>. 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. Unfortunately, providing health insurance to full-time and half-time township employees was characterized as a "tax increase", and the bill was killed by the Senate Local Government Committee on March 3<sup>rd</sup>. An attempt is going to be made on Monday to take the bill off the table and amend it so it will give townships the authority to enroll in group insurance program for employees and officers, but prohibiting townships from paying any portion of the premiums for both officers and employees. SENATORS GILLESPIE, KLOUCEK AND SCHMIDT are not supporters of this bill – and they SHOULD BE CONTACTED before Monday and asked for their support.

**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.

## **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. It has now passed the Senate State Affairs Committee. As amended, It is 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. On 3/3/10- it was deferred to the 41<sup>st</sup> Legislative day by the Senate State Affairs committee.

**HB 1128** - An Act to revise certain provisions concerning fire protection services provided through township funding was amended and passed by both Houses. It was delivered to the Governor for his signature on 3/3/10.

**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. On 3/3/10, it passed the Senate Local Government committee.

**SB 58** - An Act to revise certain real property taxes for small renewable energy facilities was amended and passed by the Senate. On 3/3/10, it passed 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. It passed the Senate on 2/3/10. On 3/2/10 it was passed by the House Taxation committee but deleted all amendments.

**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. On 3/4/10, it was amended and passed by the House Local Government Committee.

**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 was delivered to the Governor for his signature on 3/4/10.

**SB 155-** 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. On 3/4/10, it unanimously passed the House Local Government Committee.

**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. On 3/4/10 it passed 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/legislatoemail.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.

## CALENDAR OF EVENTS

### MARCH

- 8                      Clay County Township Mtg.  
7 pm Public Safety, Vermillion
- 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
- 15                      Local Boards of Equalization**  
**Meet SDCL 10-11-13**
- 16                      Lincoln County Township Mtg.  
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.  
1 pm in Courthouse in Aberdeen, SD
- 25                      Codington County Township Mtg.  
7:30 pm Extension Bldg. Watertown,  
SD
- 30                      Township Board of Supervisor**  
**Mtg. SDCL 8-5-1**

### APRIL

- 5                      Minnehaha Co. Township Mtg. 7 pm,  
Courthouse, 2nd fl. Sioux Falls, SD